

## HOUSE OF REPRESENTATIVES—Thursday, August 11, 1994

The House met at 11 a.m.

Rev. Msgr. Roger C. Roensch, director of pilgrimage, Basilica of the National Shrine of the Immaculate Conception, Washington, DC, offered the following prayer:

The opening prayer for today is taken from one recited daily at the Basilica of the National Shrine of the Immaculate Conception:

Heavenly Father, we adore Your majesty and acknowledge Your supreme eternal dominion and authority. We put our Nation into Your hands.

Thank You for the great resources of this land and for the freedom which has been its heritage. May those who have gone before us bless this land and grant us peace.

Have mercy on our President and on all the officers of our Government. Grant us a fruitful economy born of justice and charity. Have mercy on capital and industry and labor. Protect the family life of the Nation. Guard the innocence of our children. Have mercy on the sick, the poor, and all those in need.

Keep our Nation strong and a leader sharing with all the world the principles of our Founding Fathers. We pray that we may always act according to Your will and live and die pleasing to God. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. TRAFICANT. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the yeas appeared to have it.

Mr. TRAFICANT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 251, nays 160, answered "present" 1, not voting 22, as follows:

(Roll No. 391)

## YEAS—251

Ackerman	Gillmor	Myers
Andrews (ME)	Gilman	Nadler
Andrews (NJ)	Glickman	Neal (MA)
Andrews (TX)	Gonzalez	Neal (NC)
Applegate	Gordon	Oberstar
Bacchus (FL)	Green	Obey
Baessler	Greenwood	Oliver
Barca	Gutierrez	Ortiz
Barcia	Hall (TX)	Orton
Barlow	Hamburg	Owens
Barrett (WI)	Hamilton	Pallone
Bateman	Harman	Parker
Becerra	Hayes	Pastor
Beilenson	Hefner	Payne (NJ)
Berman	Hilliard	Payne (VA)
Bevill	Hinchey	Pelosi
Bilbray	Hoagland	Penny
Bishop	Hochbrueckner	Peterson (FL)
Bonior	Holden	Peterson (MN)
Borski	Houghton	Pickett
Boucher	Hoyer	Pickle
Brewster	Hughes	Pombo
Brooks	Hutto	Pomeroy
Browder	Inglis	Poshard
Brown (CA)	Inslie	Price (NC)
Brown (FL)	Jefferson	Rahall
Brown (OH)	Johnson (GA)	Rangel
Bryant	Johnson (SD)	Reed
Byrne	Johnson, E. B.	Reynolds
Cantwell	Johnston	Richardson
Cardin	Kanjorski	Roemer
Carr	Kaptur	Rose
Clayton	Kasich	Rostenkowski
Clement	Kennedy	Rowland
Clinger	Kennelly	Roybal-Allard
Clyburn	Kildee	Sabo
Coleman	Kleczka	Sanders
Collins (GA)	Klein	Sarpallus
Collins (IL)	Klink	Sawyer
Collins (MI)	Kopetski	Schenk
Combest	Kreidler	Schumer
Condit	LaFalce	Serrano
Conyers	Lambert	Sharp
Cooper	Lancaster	Shepherd
Coppersmith	Lantos	Sisisky
Costello	LaRocco	Skaggs
Coyne	Laughlin	Skelton
Cramer	Lehman	Slatery
Danner	Levin	Slaughter
de la Garza	Lewis (GA)	Smith (IA)
Deal	Lipinski	Smith (NJ)
DeLauro	Lloyd	Spratt
Dellums	Long	Stark
Derrick	Lowey	Stenholm
Deutsch	Maloney	Stokes
Dicks	Mann	Strickland
Dooley	Manton	Studds
Durbin	Margolies-	Stupak
Edwards (CA)	Mezvisinsky	Swett
Edwards (TX)	Markey	Swift
Engel	Martinez	Synar
English	Matsui	Tanner
Eshoo	Mazzoli	Tauzin
Evans	McCloskey	Tejeda
Everett	McCurdy	Thompson
Farr	McHale	Thornton
Fazio	McKinney	Thurman
Fields (LA)	McNulty	Torres
Filner	Meehan	Torricelli
Fingerhut	Meek	Towns
Fish	Menendez	Trafficant
Foglietta	Mfume	Tucker
Ford (MI)	Miller (CA)	Unsoeld
Ford (TN)	Mineta	Valentine
Frank (MA)	Minge	Velazquez
Frost	Mink	Vento
Furse	Moakley	Visclosky
Gedjenson	Mollohan	Volkmer
Gephardt	Montgomery	Waters
Geren	Moran	Watt
Gibbons	Murtha	Waxman

Wheat  
Whitten  
WilliamsWilson  
Wise  
WoolseyWyden  
Wynn  
Yates

## NAYS—160

Allard	Gunderson	Paxon
Archer	Hancock	Petri
Armey	Hastert	Porter
Bachus (AL)	Hefley	Portman
Baker (CA)	Herger	Pryce (OH)
Baker (LA)	Hobson	Quillen
Ballenger	Hoekstra	Quinn
Barrett (NE)	Hoke	Ramstad
Bartlett	Horn	Ravenel
Barton	Huffington	Regula
Bentley	Hunter	Ridge
Bereuter	Hutchinson	Roberts
Bilirakis	Hyde	Rogers
Bliley	Inhofe	Rohrabacher
Blute	Istook	Ros-Lehtinen
Boehrlert	Jacobs	Roth
Boehner	Johnson (CT)	Roukema
Bonilla	Johnson, Sam	Royce
Bunning	Kim	Santorum
Burton	King	Saxton
Buyer	Klug	Schaefer
Callahan	Knollenberg	Schroeder
Calvert	Kolbe	Scott
Camp	Kyl	Sensenbrenner
Canady	Lazio	Shaw
Castle	Leach	Shays
Clay	Levy	Shuster
Coble	Lewis (CA)	Skeen
Cox	Lewis (FL)	Smith (MI)
Crane	Lewis (KY)	Smith (OR)
Crapo	Lightfoot	Smith (TX)
Cunningham	Linder	Snowe
DeLay	Livingston	Solomon
Dickey	Lucas	Spence
Doolittle	Machtley	Stearns
Dreier	Manzullo	Stump
Duncan	McCandless	Sundquist
Dunn	McCollum	Talent
Ehlers	McCrery	Taylor (MS)
Emerson	McDade	Thomas (CA)
Ewing	McHugh	Thomas (WY)
Fawell	McInnis	Torkildsen
Fields (TX)	McKeon	Upton
Fowler	McMillan	Vucanovich
Franks (CT)	Mica	Walker
Franks (NJ)	Michel	Walsh
Gallely	Miller (FL)	Weldon
Gekas	Mollinari	Wolf
Gilchrest	Moorhead	Young (AK)
Gingrich	Morella	Young (FL)
Goodlatte	Murphy	Zeliff
Goodling	Nussle	Zimmer
Goss	Oxley	
Grams	Packard	

## ANSWERED "PRESENT"—1

Dixon

## NOT VOTING—22

Abercrombie	Flake	Meyers
Blackwell	Gallo	Rush
Chapman	Grandy	Sangmeister
Darden	Hall (OH)	Schiff
DeFazio	Hansen	Taylor (NC)
Diaz-Balart	Hastings	Washington
Dingell	Kingston	
Dornan	McDermott	

□ 1123

So the Journal was approved.

The result of the vote was announced as above recorded.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. MONTGOMERY). Will the gentleman

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

from New York [Mr. QUINN] come forward and lead the House in the Pledge of Allegiance.

Mr. QUINN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment joint resolutions and a concurrent resolution of the House of the following titles:

H.J. Res. 131. Joint resolution, designating December 7 of each year as "National Pearl Harbor Remembrance day";

H.J. Res. 175. Joint resolution designating October 1993 and October 1994 as "Italian-American Heritage and Culture Month"; and

H. Con. Res. 248. Concurrent resolution providing for the printing of eulogies, encomiums, and funeral services for the late President of the United States, Richard M. Nixon.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2218. An act to provide authorization of appropriations for the Federal Emergency Food and Shelter Program for fiscal years 1995 and 1996.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4426), an act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4453), an act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 6, 10, 13, 15, 16, 19, 20, 23, 24, 27, 31, and 32, to the above-entitled bill.

The message also announced that the Senate recedes from its amendment numbered 29, to the above-entitled bill.

The message also announced that the Senate agrees to the amendments of the House to the resolution (S. Con. Res. 38), concurrent resolution to authorize the reprinting of the book entitled "The U.S. Capitol: A Brief Architectural History."

The message also announced that the Senate agrees to the amendments of the House to the resolution (S. Con. Res. 39), concurrent resolution to au-

thorize the printing of a new annotated edition of Glenn Brown's "History of the U.S. Capitol," originally published in two volumes in 1900 and 1903, prepared under the auspices of the Architect of the Capitol.

The message also announced that the Senate agrees to the amendments of the House to the resolution (S. Con. Res. 40), concurrent resolution to authorize the printing of the book entitled "Constantino Burmudi: Artist of the Capitol," prepared by the Office of the Architect of the Capitol.

The message also announced that the Senate agrees to the amendments of the House to the resolution (S. Con. Res. 41), concurrent resolution to authorize the printing of the book entitled "The Cornerstones of the U.S. Capitol."

#### ANNOUNCEMENT REGARDING AVAILABILITY OF THE NINE HEALTH CARE REFORM SUBSTITUTES

(Mr. MOAKLEY asked and was given permission to address the House for 1 minute.)

Mr. MOAKLEY. Mr. Speaker, I rise today to announce that Members have submitted health care reform substitutes to the Committee on Rules last night, including the Gephardt substitute, the Michel substitute, the McDermott substitute, and the Rowland substitute, and I expect there will be a great deal of interest in reading these.

So, the fastest and fairest way we found to get the substitute into as many hands as possible is to print them all in the CONGRESSIONAL RECORD.

Last night I submitted all the substitutes so that they will be printed in the RECORD, available today, and the nine substitutes will appear in part 2 of the RECORD in the portion entitled "Amendments." Part 2 will be available this afternoon.

#### WELCOMING TODAY'S GUEST CHAPLAIN, MSGR. ROGER CHARLES ROENSCH

(Mr. KILDEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KILDEE. Mr. Speaker, it is with great pleasure that I welcome to the House today our guest chaplain, Msgr. Roger Charles Roensch.

Monsignor Roensch is the pilgrimage director at the Basilica of the National Shrine of the Immaculate Conception here in Washington, DC.

The monsignor graduated from the North American College and Gregorian University in Rome in 1958.

In the same year, he was ordained a priest and served in the Archdiocese of Milwaukee until 1970.

After serving 11 years at the North American College in Rome, Father

Roensch came to the National Shrine in 1981.

Father Roensch was incardinated into the Archdiocese of Washington by James Cardinal Hickey in 1989, and he was later named a domestic prelate by Pope John Paul II in December of 1990.

Mr. Speaker, as chairman of the House Page Board, I am particularly pleased that the monsignor has joined us today.

Each year, the monsignor has graciously hosted the pages at the national shrine.

He has made them feel welcome, and encouraged them to make the national shrine their parish church while they are in Washington.

Mr. Speaker, I ask my colleagues to join me in welcoming Msgr. Roger Charles Roensch to the House of Representatives.

□ 1130

#### ANNOUNCEMENT OF THE DEATH OF THE HONORABLE JESSIE SUMNER, FORMER CONGRESSWOMAN FROM ILLINOIS

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, I regret to inform the House of the passing of a former colleague, Jessie Sumner, one of the oldest living former members, passed away yesterday at the age of 96. Originally from Milford, IL, she represented the people of east central Illinois in the U.S. Congress from 1939 until 1947.

She was a 1920 graduate of Smith College. Congresswoman Sumner studied law at the University of Chicago, Columbia University, and Oxford University. She started her political career when she was elected judge of Iroquois County in 1937. In 1938, she was elected to the U.S. Congress from the 18th District.

Congresswomen Sumner was a pioneer and served as one of only nine female Representatives in the 76th Congress. She served in the Congress with distinction during the turbulent years of World War II. She was an outspoken pacifist and fiscal conservative. As the war years continued, Representative Sumner often found herself being a lone voice of concern about the cost of the war on the lives of Americans.

Representative Sumner declined to be a candidate for reelection in 1946. She returned to Milford to resume her position as vice president and later President of the Sumner National Bank.

The citizens of east central Illinois were truly lucky to be represented by Congresswoman Sumner and to have her as a lifelong citizen of Iroquois County.

Mr. Speaker, I am pleased to have had the opportunity to have contacts



with Representative Sumner. We all shall miss her, and we regret the loss of this true friend.

#### AARP SUPPORT FOR THE GUARANTEED HEALTH INSURANCE ACT

(Mr. DERRICK asked and was given permission to address the House for 1 minute.)

Mr. DERRICK. Mr. Speaker, Congress should be well aware of the Nation's abiding interest in health care reform. Every day more organizations representing millions of Americans voice their support for the Guaranteed Health Insurance Act.

Today you can add the 33 million members of the American Association of Retired Persons to the throngs calling for reform. Citing their long-held support for universal coverage, long-term care coverage, the protection and strengthening of Medicare, controlling health care costs and a fully funded health care system every American can afford, the AARP asked its members to support the Gephardt bill.

The AARP represents Americans over the age of 50. They know how important reform is to their members' health—and everyone's. The AARP points out that this is a historic opportunity to benefit all Americans, and that defeat will kill reform for years to come.

Give the people what they need—pass health care reform.

#### LESS CHOICE IN HEALTH CARE

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I would say that AARP had better look at these bills.

Mr. Speaker, the Clinton-Gephardt and Clinton-Mitchell health plans claim to guarantee choice in health care. But, do they really know what choice means.

Contrary to the Democrat leadership's belief, a standard benefit package does not constitute choice. Choosing from a list of specified doctors does not constitute choice.

Maybe I should explain to Clinton, GEPHARDT, and MITCHELL what a standard benefit package is. This means that the Government tells you which doctor you can see, when you can see that doctor, and what services you can receive. Clinton-Mitchell even goes so far as to make existing health plans illegal.

These bills take away our American freedoms to make health care decisions based upon our needs, and no one is falling for this scheme of total Government control. Americans know the difference between myth and reality.

#### PASSAGE OF CRIME BILL THREATENED BY PARTISAN POLITICS AND SPECIAL INTERESTS

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute.)

Mr. RICHARDSON. Mr. Speaker, today partisan politics and special interests could kill the crime bill. This is a crime vote, not a gun vote. Today we either pass a crime bill and do what our constituents and the American people want us to do or we once again cave in to partisanship, special interest lobbies, or gridlock.

We can sit here and talk all we want to about health care, GATT, the economy, or Haiti, but in the final analysis it is the crime issue that will determine whether we are a do-nothing Congress or a Congress that bites the bullet and does the right thing. Most importantly, this vote will determine whether many of us are here next year or not.

Mr. Speaker, let us not cave in to special interests and partisanship. Let us do what the people sent us here to do and pass the crime bill.

#### CLINTON HEALTH

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, earlier this week, the First Lady lamented the overly information-loaded society, that has opposed her attempt at health care reform.

She said that when Social Security was passed, Franklin Roosevelt didn't "have to describe every jot and tittle of that bill."

Maybe he should have, Mr. Speaker. Here it is, 1,410 pages, and the First Lady doesn't think we need to know what is in it.

When it comes to the President's health care bill, the American people have to know what the Government is going to do to them. And the more they know about the Clinton-Gephardt health care bill, the less they like it.

According to CBO, its 47 new bureaucracies will add \$9 billion to the budget deficit.

And its 175 new mandates on the States are, according to CBO, unworkable.

Mr. Speaker, the First Lady should not lament the fact the American people are actually finding out about Clinton health. She should lament the fact that Clinton health is bad for the country.

#### REPROGRAM RUSSIAN AID, PUT YELTSIN'S MONEY INTO HEALTH CARE FOR AMERICANS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, I have an idea about where we can get the money for health care. Now, check this out.

Congress gives billions of dollars a year to Russia to encourage democracy. News reports yesterday said that Boris Yeltsin used \$100 million to buy a boat, two swimming pools, two tennis courts, gold and marble furnishings, and a helicopter pad with a helicopter. That was \$100 million. How does that float your boat, Congress?

Here is my question. Where does Boris, big bad Boris, get \$100 million to buy this "Love Boat" on a salary paid with rubles? I say it is unbelievable, folks. Sometimes you have got the bear, and sometimes the bear has got you, but in this case the bear has got us all by the throat.

Let me make a recommendation. Let us reprogram the money that goes to Russia and put it in a kitty and buy some health insurance for Americans. How does that sound?

□ 1140

#### RAISING TAXES

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, this week the Wall Street Journal ran a column by noted economist, Martin Feldstein, who explained that the Clinton-Mitchell health care bill contained a hidden \$100 billion tax increase. If enacted, the Mitchell health care proposal would be the largest expansion ever of the welfare state. Enacting it, incredible as it may seem, would be equivalent to raising personal income taxes by a staggering 20 percent. No, you heard me right, 20 percent.

Last year, the Democrats claimed to solve the budget deficit problem by doing what? That is right. Raising taxes. This year both the Clinton-Mitchell and Clinton-Gephardt bills claim to be the right prescription for what ails our health care system. Their solution? Right. Government takeover of our health care system and raising taxes. And, raising taxes by the equivalent of 20 percent. That is equivalent to a tax increase of more than \$5,000 for each individual person insured and a cost of \$20,000 for a family of four.

The American people know what the Democrats are up to. That is why they do not support the Clinton plan, and why, if they find out what is in the Clinton-Mitchell and Clinton-Gephardt plans, they will not support them either. After all, if it is a Democrat idea, it has to involve, you guessed it, raising taxes.

#### THE PARTY THAT CRIED WOLF

(Ms. MCKINNEY asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. McKINNEY. Mr. Speaker, recently we celebrated the 1-year anniversary of the passing of President Clinton's deficit reduction plan.

At the time the distinguished minority whip said "it will kill 1.4 million jobs. Tragically, it will not control spending or reduce the deficit." A year later, 3 million new jobs and a lower deficit than expected, we can only assume that the Members from the other side miscalculated.

Now these same naysayers are saying that health care reform will somehow challenge the basic foundations of America. They cry socialism, the end of the best health care system in the world, it will kill jobs.

Once again the obstructionists are crying wolf. Many Americans are afraid that health care reform means that they will lose their benefits or have to pay more for less benefits. What the American people will find is that they cannot afford to listen to the party that cries wolf. Let's take a bite out of the do-nothing gang and support universal coverage today.

#### PRESIDENT CLINTON—HEALTH CARE TRUST

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, President Clinton has unveiled a new television commercial promoting his socialistic health care plans. He says his proposal will not result in the Government takeover of the health care delivery system. He asks the American people to trust him in telling the truth regarding health care.

But before the American people give the President that trust, I ask them to reflect on the President's own track record. Did you trust the President regarding his pledge to cut taxes? Did you trust him regarding his pledge to cut spending? Did you trust him regarding his draft status? Did you trust him when he said he did not inhale? Do you trust him regarding Whitewater?

Mr. Speaker, the President asks us to trust him when it comes to health care reform, but trust must be earned rather than freely given. And President Clinton's record in this regard has now become quite clear to most Americans.

#### SUPPORT THE CRIME BILL

(Mr. BARRETT of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARRETT of Wisconsin. Mr. Speaker, I am pleased that we are going to have the opportunity to vote today on the very important crime bill.

Millions of Americans across this country are deeply concerned about crime. The crime bill that we will consider today contains many provisions that address the public's concerns.

First, the crime bill bans military-style assault weapons. It would be unconscionable for Congress to continue to condone the sale of guns that are designed specifically to kill people.

Second, it targets violence against women in their homes. The bill toughens the penalties for offenders who victimize women and authorizes help for education, prevention, and domestic abuse hot lines.

Third, it puts more cops on the streets. This is vital help in the trenches of the battle against crime and will provide 2,000 officers for the State of Wisconsin.

Opponents dismiss these measures as inadequate, but no single wave of a magic wand will restore our sense of security. These provisions in the crime bill are vital elements of a comprehensive approach.

I urge my colleagues to support the bill.

#### NEW TAXES NOT NEEDED BY AMERICAN PEOPLE

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, there are three items that appear in all the major legislation that has been drafted by the Democrat leadership here in Congress. Those three things are: Taxes, taxes, and more taxes. It seems that is all they want to think about.

Both the Clinton-Mitchell bill and the Clinton-Gephardt health care bills are chock full of new taxes. And yesterday the CBO attacked the Mitchell bill, saying it would result in \$1 trillion in subsidies over the next 8 years, widespread bureaucratic problems, increased unemployment, incentives for the poor not to work, more Government agencies to implement the plan, and employer mandates that are going to kill American jobs.

A group of bipartisan Members here in this House have drafted a health care bill that has no new taxes. The bipartisan supporters understand that the Government is already too big and spends too much. Passing taxes on to the American people will only result in bigger, more expensive Government bureaucracy. It is not what the American people need, nor is it what they want.

#### PLAY BALL

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILLIAMS. Major league baseball players, big league managers: Play ball.

#### INCREASED TAXES CONTRIBUTE TO WEAK RECOVERY

(Mr. RAMSTAD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAMSTAD. Mr. Speaker, we know now from Bob Woodward's recent book that President Clinton called his own tax plan a turkey, and on the first anniversary of the largest tax increase in American history, this bird is coming home to roost.

With the President's high-tax, high-regulation policies, and now inflation in clear view, we face the real possibility of returning to the glory years of Jimmy Carter. Remember malaise, 20 percent misery indexes, and stagflation? The American people simply cannot afford Carter II. But the Clinton recovery looks like back-to-Carter. It is the weakest recovery in 50 years, the weakest post World War II recovery.

Mr. Speaker, the Clinton taxes have contributed to the weak recovery by taking money out of the pockets of the productive capital investing sector of our economy and giving it to the inefficient bureaucrats in Washington.

The lesson is clear: We need to reduce taxes and regulations, and realize that job creating growth comes from the private sector, not the bloated Federal Government.

Mr. Speaker, when will they ever learn?

#### THE CRIME BILL CONFERENCE REPORT

Mr. SANDERS. Mr. Speaker, I will be voting in favor of the crime bill today, despite some provisions in it with which I strongly disagree because, on balance, its positive initiatives to control crime outweigh the negatives. But I want to make it clear that in my view, no approach toward crime will be effective if we continue to ignore the poverty, despair and hopelessness which are the root causes of crime.

Mr. Speaker, at a time when increased property taxes in Vermont are placing a very painful burden on our citizens, it is absolutely appropriate that the Federal Government play an increased role in helping our communities address the crime problem. Under this legislation the State of Vermont will receive at least \$44 million dollars to hire more than 500 new Police officers; \$6.5 million for drug and crime enforcement in our most rural areas; \$3 million for our cities and towns to use in ways they feel useful, and \$1.2 million for a variety of children's programs.

Perhaps most important to me, however, this crime bill will provide \$8 million dollars to Vermont to allow us to deal with the epidemic of violence against women. In Vermont, there were six women murdered last year, and every single one of them was killed by



an abusive spouse or partner—and God only knows how many other women were beaten and assaulted. This bill, through funding for a wide variety of services, will finally allow us to give women the protection that they have long been denied.

#### TRIBUTE TO THE LATE RUSSELL TICKNER

Mr. BARTON of Texas. Mr. Speaker, it is my sad duty to inform the House that a dear friend of mine, Russell Tickner, passed away yesterday at the age of 71 years. Russ was the husband of my former district representative, Jan Tickner.

My heart goes out to Jan and their four children, Nancy, Suzy, Gary, and Tom, their nine grandchildren, and their hundreds of friends.

Russell Tickner's life was like Jimmy Stewart's life in the movie "It's a Wonderful Life." He honestly touched thousands of people in a very positive way, myself included. He was a World War II veteran. He was shot down on his first B-17 bombing mission over Germany, escaped by parachute, was hunted by the German soldiers, and climbed into an apple tree. The Germans came in and machine-gunned the apple orchard, but did not shoot up into the trees.

□ 1150

He escaped back to England, came back to the United States and married a young woman that he met at a USO dance before he went overseas. Russ and Jan lived their lives in Conroe, TX.

He was self-employed in the restaurant business, the arts and crafts business. He was active in prison ministry. He was an avid golfer, a great coffee drinker and a great story teller.

Few people lead the kind of life that Russ Tickner lived. He had the distinction of having the street that he lived on named in honor of him, Tickner Lane. The world is a better place today because of Russell Tickner's life.

#### DEMOCRACY

Mr. WATT. Mr. Speaker, in the midst of all the discussion about health care and crime and issues of importance, there are some of us who are still struggling with the simple question of democracy and whether our districts will survive.

Last week in Louisiana, a three-judge panel redrew the districts there that have been worked on by the State legislature. Democracy is based on representative government, and all people in our democracy are entitled to representation in the process.

I think we should express our outrage at efforts that are on the way to undermine representative government in this body, and I call upon America to do that. I call upon the Supreme Court

to stay the ruling entered by the three-judge panel in Louisiana.

#### WHAT'S THE HURRY?

Mr. WALSH. Mr. Speaker, to the leadership of the House, my message today is quite simple. Take a step back, hold off on your plans to bring the Clinton-Gephardt bill to the floor next week, and instead provide each Member of this House with a detailed summary of your bill. Then allow us to return to our districts and discuss the legislation with our constituents. That is what the American people want, and everyone in this Chamber knows it.

If you try playing hard ball politics by jamming this down the throats of House Members without their knowing the complete content of the bill, you will do tremendous damage to those who follow your path. The public will not stand for it.

This issue is not Social Security, and for those simplistic enough to believe that line, you had better sign up to a fast economics course. The issues are deep and complex. If you have never tracked a Medicare claim or followed a constituent's case dealing with long-term care, I suggest you talk to your office caseworkers handling health care problems. The lack of factual knowledge in dealing with this issue is appalling. You cannot correct something if you do not understand it.

Instead of producing a strong foundation on which to build real health care reform, we see a Trojan Horse being readied for a sneak attack. This is no way to legislate, and shame on those who attempt such folly.

#### HEALTH CARE

Ms. SHEPHERD. Mr. Speaker, for near 2 years now, I have been trying to help my constituents in Utah solve their individual health care problems. This is the story of a young man in my district who has juvenile diabetes. After graduating from college he got a job with a small company as a computer programmer. His employer did offer health insurance. However, because he had a pre-existing condition, he was given two choices: He could take health coverage that excluded anything related to his diabetes, or he could accept coverage in a special group with a high deductible, high copayment, and a \$700-a-month premium. His take home pay at the time was \$1,000 a month. As his parents explain, "even though our son may have been counted as having health insurance by some statistics, in effect, he had no real coverage."

Without health care reform this young man will remain at the mercy of employers and insurers who decide whether he can or cannot stay healthy.

It is time we solve this problem and pass comprehensive health care reform.

#### THE CRIME BILL

Mr. STEARNS. Mr. Speaker, the crime bill was filed last night at 7 p.m. It is over 900 pages. Most of my colleagues in this House have not seen the bill. That is why a recent survey by the Luntz Research Group is very, very important: 36 percent of those people who were surveyed in America said they do not want to see this crime bill passed now; 55 percent felt somewhat more strongly.

If all these people knew that there were 30 new social spending programs in the bill and that it is at a cost of almost \$9 billion, I think all of them would say, do not pass this crime bill.

What happened to Vice President GORE's mandate that we reduce Government programs and spending? Why are we adding 30 new social spending programs?

If we looked at the statistics from the Justice Department, since 1965, we see that the amount of money spent for welfare has increased 800 percent yet the crime rate has tripled. That is why all Americans believe our Government is too big and spends too much money. They want us to go back and develop a new crime bill.

#### SAVING THE ASSAULT WEAPONS BAN

(Mr. NADLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NADLER. Mr. Speaker, today we will be voting on the crime bill conference report. I know we are all pleased with some and disappointed with other parts of the bill. I declined to sign the conference report because of several provisions that I cannot support.

But our vote on the rule today presents every Member of this House with a straightforward, if unappealing, choice: Defeat of the rule will result in the elimination of the assault weapons ban. That will be the only change defeat of the rule can accomplish. That is what lies in the balance.

I will support the rule when it is considered later today. We have no choice. We must save the assault weapons ban. These firearms account for only one-half of 1 percent of all guns, but have been used in more than 8 percent of all gun crimes—29,058 between 1988 and 1993 according to the Bureau of Alcohol, Tobacco and Firearms.

There are valid objections to this bill, but I cannot in good conscience help defeat the rule knowing the sole result would be to kill the assault weapons ban. We owe it to our children, to our neighbors, to the voters who sent us here to get these weapons off the streets. I urge my colleagues to vote for the rule and to save lives by saving the assault weapons ban.

## HEALTH CARE DEBATE

(Mr. HOEKSTRA asked and was given permission to address the House for 1 minute.)

Mr. HOEKSTRA. Mr. Speaker, we are about to begin on an historic process, but we have gone through it. We went through it in Education and Labor. We spent 8 weeks marking up the Education and Labor health care bill.

Now in 8 days we will measure and mark up a brand new bill. This is an outline.

What do we know is in the Clinton-Gephardt bill? We know there is mandates. We know there is subsidies for small businesses. They will be phased out by the year 2005. We know there is micromanagement of the health care education area. There is global budgeting, regional exemptions. There is new taxes, new penalties, more paperwork. And our idea of tort reform is that we are going to preempt all the tort reform that has taken place at the State level.

Trying to do health care in 8 days demonstrates Washington and this House are out of control.

## CRIME BILL

(Mr. BISHOP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP. Mr. Speaker, in order to restore sanity and security to the streets of America, I strongly support a tough but fair anti-crime package that offers a balance between punishment and prevention.

Congress must provide the people with the necessary weapons to combat drug dealers, gang leaders, robbers, rapists, and murderers.

Community-based policing, reinforced with more law officers and more resources for drug treatment, buttresses our effort to win this war.

Also, deeply rooted in any crime prevention initiative are measures that promote family values, education, and job training.

I strongly support a crime package that throws three-time convicted violent felons in jail for life and adds more Federal crimes to the death penalty list. I support more prisons.

We must protect ourselves, our families, and our neighborhoods by locking up—and when appropriate, executing—those who repeatedly demonstrate a disregard for the sanctity of human life.

We need to assure fair and impartial sentencing.

A successful crime package is one designed to displace fear with security, sanity, and confidence, through a balanced approach that provides the strength and fairness needed to win the war on crime. We must pass the crime bill today.

THE RULE FOR THE CRIME BILL  
CONFERENCE REPORT

(Mr. HUFFINGTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUFFINGTON. Mr. Speaker, I rise today to urge my colleagues to vote against the rule for the crime bill conference report. Once again, the majority leadership is trying to use parliamentary tricks and restrictive rules to ram a flawed bill through this chamber.

Mr. Speaker, I have stood here incredulous as the majority has accused the minority of forcing congressional gridlock—an amazing assertion given that the Democrat party controls both chambers and the White House. In fact, the real reason Congress is struggling to pass a crime bill is that the liberal leadership insists on stuffing legislation the country needs with social experiments the American people just do not want.

Allow me to remind my colleagues of a disturbing trend. In just 15 years we have gone from having 15 percent of the legislation on the floor considered under restrictive rules to almost three quarters of the bills considered under restrictive rules.

And the crime bill is no different. Republican attempts to improve the bill have been blocked throughout the entire process.

I may be just a freshman, but I know that clean conference reports do not need rules to come to the floor. Rules are sought when protection is needed for dubious programs. And boy does this bill need protection.

Let me make this perfectly clear for the American public: This bill needs protection because arts programs, midnight basketball programs, self-esteem programs, and most of the rest of the social welfare programs slipped into this bill have very little to do with fighting crime. And unless protected by a special rule, these pet projects would be gone.

Finally, Mr. Speaker, a simple observation. Our fellow citizens increasingly live under the specter of violent crime. And they have asked us to do something about it. They asked for a tough crime bill. And they know this is not it. I urge my colleagues to vote down the rule, send this legislation back to conference, and return a tough anticrime bill that will make our streets safer.

□ 1200

IN SUPPORT OF THE VOTING  
RIGHTS ACT

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, I rise today to acknowledge the impor-

tance of the Voting Rights Act signed by President Lyndon B. Johnson almost 30 years ago. Unfortunately, we are still fighting the same battles all over again—whether Congress looks like all Americans or just a few. Accomplishments in diversifying Congress have been attacked in court. History, if we are not careful, threatens to repeat itself. Districts created to remedy violations of the Voting Rights Act should not be stricken down by the courts.

As President Clinton recently stated, "Inclusion of all Americans in the political process is not a luxury; it is central to our future as the world's strongest democracy." The Department of Justice must be strong in its leadership for civil rights, and vigilant in its enforcement of the Voting Rights Act, especially in defending districts created to remedy blatant violations and abuses of voting rights for people of color in this country.

It is especially fitting today as we take up the crime bill that Congress is well-represented by diverse Members who can fully debate the root causes of crime which have been ignored in the past, such as failure in education, job training, and crime prevention. Diversity in Congress is more important now than ever.

ENCOURAGING RUSSIA'S PRESIDENT  
YELTSIN TO BUY HIS  
YACHT IN AMERICA

(Mr. CALLAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CALLAHAN. Mr. Speaker, as the Members of this body know, I have been a critic of United States aid to Russia. One of my concerns has been that we have not established strong enough conditions on aid or enforced those we have imposed.

Now I discover yet another condition that we neglected to include in the Russian aid package. That is that President Yeltsin cannot use American taxpayers' dollars to purchase a luxury yacht with a swimming pool and tennis court. The Washington Times reported that Mr. Yeltsin is negotiating with a Russian shipbuilder for just such a craft.

If there is any truth to this report, I hope our administration officials will take a careful look at this ostentatious display. Even here in the United States, where we are wealthy enough to bestow \$850 million on Russia, we cannot afford a yacht for our President.

At the very least, Mr. Speaker, we should demand that the Russians "buy American." There are plenty of good shipyards here looking for work, including several in my district. I would encourage Mr. Yeltsin to do his shopping here.



## LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS

(Ms. FURSE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FURSE. Mr. Speaker, life, liberty, and the pursuit of happiness, those are the words our forefathers put in our first defining document. This week in Oregon, the life of Catalina Correa, a mother, a nurse, whose life had been dedicated to helping others, her life was snatched from her by a man with an assault weapon.

Mrs. Correa and her family have lived in my district in Oregon. I would like to ask those who think that their happiness depends on being able to buy hundreds of types of guns, guns that are designed only to kill, to kill people, people like Catalina Correa, I ask them to go to Oregon to explain to this family why their happiness is more important than Catalina's life. I certainly cannot explain it.

Mr. Speaker, it is time we protect our constituents, their lives, their liberty, their happiness. It is time we passed this rule and passed this crime bill.

## LET'S CONSULT THE PEOPLE—THE NEED FOR AN ORDERLY PROCESS ON HEALTH CARE

(Mr. HORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORN. Mr. Speaker, the next week will bring this Congress and the Nation the historic opportunity to debate the health care reform proposals. For many of us, it may be the most important vote we cast in this House. It is quite probable that no other issue will have more impact on the lives of each and every American. It is critical, then, to take the time to do this right.

Mr. Speaker, if this were a schoolhouse and the students showed up, and the teacher was ordered by the principal to give them all the homework for the whole semester and have it done tomorrow morning, the parents of the students would revolt, go to the school board and ask that the principal be removed.

Mr. Speaker, the people of America should revolt and go to the leadership of this House and ask that they be removed. This type of a railroad train violates every common sense rule of a parliament that ought to give due deliberation to complex legislation.

One sentence in one of the many thousands of pages of four or five of the bills can mean \$10 billion.

Mr. Speaker, this House should not be steamrollered and ramrodded into misconduct in the legislative arena. What is the rush? Why next week when the bills are not even printed?

Let us do this in an orderly way—read the bills, discuss them, explain

them in the district to our constituents, then—after Labor Day—return to this chamber, debate the issues, and vote to meet the needs of the 37 million Americans who have no health care coverage.

## GREED IN PROFESSIONAL BASEBALL CAUSES FANS AND EMPLOYEES TO LOSE OUT

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, tomorrow one of the most exciting baseball seasons in recent memory will come to an end. Teams like the Cleveland Indians and the Houston Astros, the Montreal Expos and the Colorado Rockies, teams that nobody thought would ever have a chance of getting to the pennant, have actually had a terrific season. Kenny Griffin, Jr., Matt Williams, even have a chance to break Roger Maris' home run record.

Yet, Mr. Speaker, none of that will happen, primarily because of greed. The Red Sox even have a chance for their August spurt, only to be crashed in September, but we have to ask ourselves why.

Mr. Speaker, major league baseball players average a \$1.2 million salary a year. In fact, their salaries have increased 1,600 percent over the last 17 years. The owners say half the teams are losing money, but they will not even open their books. Attendance is way up. We should make it clear to the owners and the players that a lot more people are going to lose from this strike than can gain anything from it.

Mr. Speaker, all the people who work at minimum wage jobs are going to lose their jobs, but most importantly, the biggest price to be paid will be with the fans, whose loyalty cannot be sustained when they pull this eight times in 20 years.

## THE CRIME BILL MISSES ITS MARK

(Mr. LEWIS of Kentucky asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today in opposition to the Conference Report on H.R. 3355, the Omnibus Crime Control Act.

Mr. Speaker, this bill has missed its mark. The overall aim of a crime package should be on getting tough on criminals. Its aim should be on deterring the rate of crime in this country. Unfortunately, the crime bill does not do that.

The crime bill falls short because it punishes all American citizens by banning the possession and manufacture of certain semi automatic firearms. The conference report begins to take away

the rights of law-abiding citizens which are protected by the second amendment.

This is not the aim that the crime efforts in this country should take. We cannot fight crime at the expense of our rights as American citizens. In fact, criminals will laugh at gun control—they will have their guns, no matter what gun regulations are legislated.

Now, there are a few provisions in the crime bill that are not that bad. There are programs such as funding for State and local law enforcement grant programs, a truth in sentencing provision, and money for prisons.

But as a whole, this bill does not hit the target. This bill penalizes upstanding, honest Americans.

Moreover, H.R. 3355 is a spending bill, with over \$9 billion earmarked for new social programs.

Now this is completely off the mark.

Mr. Speaker, the folks in my district are like those in yours—they are deeply concerned about the safety of their homes and neighborhoods. Unfortunately, a crime package that takes away freedoms of law abiding Americans instead of getting tough on criminals, will only make the problem worse.

I urge my colleagues to vote "no" on the crime bill conference report.

## CALLING FOR GUARANTEED HEALTH INSURANCE FOR EVERY AMERICAN FAMILY

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, on any given day 37 million Americans are without health insurance. In my district, the First Congressional District of Michigan, there are 64,000 people who are under the age of 65 who are uninsured. Of those uninsured, 14,000 are children. Over 80 percent of the uninsured in my district are working but do not receive health benefits through their job.

Constituents contact me frequently about their need for health care reform and guaranteed private health insurance.

For example, a woman from the Traverse City area called me to say that her company just cancelled her health insurance. This very woman was 8½ months pregnant, and was left with nowhere to turn.

Mr. Speaker, this woman and even those with health insurance are why we need health care reform. We need health care reform because when this woman had her child, do you know who paid? All of us, through increased insurance premiums, through increased out-of-pocket expenses, through increased State taxes, through increased Federal taxes. This bears out the fact

that health care reform is for everyone. We must get this under control.

Mr. Speaker, I hope that the Congress will help every American to obtain and retain health insurance for themselves and their children.

□ 1210

#### SUPPORT URGED FOR TOTAL CONGRESSIONAL REFORM

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, yesterday we took a major first step down the road toward congressional reform. Bringing Congress under the laws that we pass for the rest of Americans, reforming our travel, and having us receive the same health benefits are measures of which we should all be proud. And they are also long overdue.

We now need to rid ourselves of the perks and privileges that still separate us from our constituents. We need to reform our pensions, do away with airport parking, and stop proxying voting, among other things.

My bill, H.R. 4444, completes the job that H.R. 4822 started. We need total congressional reform, Mr. Speaker, we need H.R. 4444, the one stop shop for congressional reform.

#### NEW YORK TIMES SHOULD ALLOW CONTRASTING VIEWS ON CUBA

(Mr. TORRICELLI asked and was given permission to address the House for 1 minute.)

Mr. TORRICELLI. Mr. Speaker, like many Members, I have long considered the New York Times to be one of the most venerated institutions in this country, a principal dialog for opposing positions in our national debate. I therefore rise with some regret.

Today, the New York Times has published the 12th in a long series of editorials and op-eds against American policy toward Cuba. The American public may believe because those views are never answered in their op-ed page that there are no contrasting views. In fact, month after month for a second year Members of this institution and others in the country have attempted to enter into that debate. Indeed, a few months ago after repeated rejections, simple letters were offered explaining that there are other views who believe in the American embargo of Cuba. Even that letter was offered.

Today, in their editorial, the New York Times termed as a "fanatical faction" that believes in the American embargo. That fanatical faction includes the House, the Senate by a two-thirds margin, President Bush, President Clinton, and two-thirds of the American people.

Mr. Speaker, the New York Times deserves its high reputation but it better serves its history and this venerated view if it allowed contrasting views.

#### MAY THE CLINTON-GEHARDT AND CLINTON-MITCHELL HEALTH CARE PLANS REST IN PEACE

(Mr. BAKER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAKER of California. Mr. Speaker, here they go again. Yes, a crime bill that does not fight crime but spends \$33 billion that we do not have. Yes, it reduces the minimum mandatory sentences for drug pushers that sell poison to our children. It eliminates the minimum mandatory sentences on those who use a gun in the commission of a crime, yet makes it a crime to own a gun to protect your home or your family or your business.

Do we have the \$33 billion? No. And what are we going to do later this week or next week about health care? We will turn it over to the Government. What a new concept. It has been tried in Great Britain, but if you have a business in Great Britain or you are employed there as a management employee, they give you the keys to the washroom. In other words, private health care. You do not have to stand in line with the rest of those poor people that are suffering under socialism.

How is it working in Canada? That is our model. Oh, just fine, thank you, unless you live in Ottawa and want a hip operation. It is not on the menu. Oh, they closed for 3 weeks to balance the global budget. All that is in the Clinton-Gephardt plan, all that is in the Clinton-Mitchell plan. Let them rest in peace.

#### MEDICAL NUTRITION THERAPY NEEDED IN THE HEALTH CARE PLAN

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute.)

Ms. SLAUGHTER. Mr. Speaker, medical nutrition therapy, when medically necessary or appropriate, is a service which saves money, improves patient outcomes and enhances the quality of life. It reduces the need for long-term drug therapies for many chronic illnesses, and reduces or prevents hospital stays and invasive medical procedures.

Medical nutrition therapy is also important in maternal and child care. For example, I recently heard from the Genesee Dietetic Association in Rochester, NY, about a 34-year-old woman with poorly controlled diabetes. With just five visits to a registered dietitian, she was able to deliver a normal, healthy baby. The cost of medical nu-

trition therapy was \$280; the medical costs without it might well have exceeded \$5,000.

Mr. Speaker, as we seek to reform our health care system, we must not let medical nutrition therapy slip through the cracks.

I urge my colleagues to support legislative language which provides coverage for medically necessary or appropriate health professional services, to allow an opportunity for reimbursement for medical nutrition therapy.

#### AN INEFFECTIVE CRIME BILL AND THE MOVE TOWARD SOCIALIZED MEDICINE

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, two very important issues facing this Congress but more than that facing this Nation: A dramatic crime bill which expands social programs and a bill that calls and moves us toward socialized medicine in this country.

Mr. Speaker, we are seeing the President and some of the liberal Democrats hold hostage needed changes to reduce crime in this country so that they can expand \$8 billion worth of social programs in urban areas. We see individuals that are holding hostage needed changes to reduce the cost of health care in this country so that they can go to socialized medicine. I plead with the American people to look at what is happening and the consequences of having more government takeover of your individual freedoms, your life, and taking away part of our private sector economy to be managed by a government that has not done very many things very well.

#### SUPPORT THE CRIME BILL

(Mr. KLEIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEIN. Mr. Speaker, the vote today on the omnibus crime bill is one of the most important we will ever cast. After months of efforts, we are about to pass the toughest, strongest crime bill this country has ever seen, that targets criminals and curbs violence. The time has come to stop looking at the criminal as the victim and recognize that we, the law-abiding citizens, are the victims. This bill focuses on the needs of our Nation's victims: More cops on the street, truth in sentencing, expanded prison space, and laws that keep military-style assault weapons off our streets.

There are special interest groups that would kill this bill, would hold it hostage in an effort to kill the assault weapon provisions. And they would deprive the American people of what we



are demanding. We cannot afford to let that happen. Let us have the guts to pass the rule and pass the crime bill and give Americans what Americans want and need.

#### DELAY IS PREFERABLE TO ERROR

(Mr. LINDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LINDER. Mr. Speaker, in a letter to George Washington in 1772, Thomas Jefferson said, "Delay is preferable to error."

The American people know that rushing to pass the Clinton-Mitchell or Clinton-Gephardt bill would be an error of incomprehensible proportion. In fact, by a measure of 2 to 1, the American people want us to wait until next year to reform health care. I merely ask for a few days to talk to my constituents about these so-called new plans.

What would Jefferson say today if he could witness the attempt by the Democrat leadership to ram a bad health care bill by the American people without the benefit of a thorough review.

Jefferson, who advocated a "wise and frugal government" and the "suppression of unnecessary offices, of useless establishments and expenses," certainly would urge delay of a measure that would place 14 percent of the American economy under Federal control, and add at least 17 new taxes and 50 new bureaucracies.

The Democrat motto these days seems to be Anything is better than nothing. Let us reject their premise and abide by the Jeffersonian principle, Delay is preferable to error.

#### BARBARA BUSH SPEAKS OUT ON CHOICE

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, I take the well to celebrate one of America's great treasures and finest women, Barbara Bush, and say how glad I am she has finally been freed to speak her mind on choice. We thought all along she agreed with us on choice, and she finally has been able to say she thinks the government has no business in people's personal lives and medical lives, thank you very much. And thank you, Barbara Bush. I think had she been asked about today's crime bill, she would probably say, "For crying out loud, pass it."

Let us get assault weapons off the street, get the violence against women passed, get prevention programs out there.

Mr. Speaker, punishment only has not passed and all this business about pork is a bunch of hoo-ha. The other

side's bill is to spend the same amount of money but spend it all on prisons as we have been doing for the past 12 years, and we know where it has gotten us.

Mr. Speaker, thank goodness she spoke out. Let us listen to some of these reasoned voices in the heated debate today.

#### A CRIME BILL LOADED WITH SOCIAL SPENDING PROGRAMS

(Mr. FRANKS of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRANKS of Connecticut. Mr. Speaker, if I had a hat I would tip my hat to the congressional Black Caucus and the other liberals in Congress for having successfully orchestrated an extensive list of social spending programs in a crime bill.

□ 1220

Lyndon Johnson would be amazed that we were able to resurrect his War on Poverty in this manner.

In the past, Congress has passed make-work jobs; Congress has taken care of able-bodied people; but now Congress will start a new program, a make-busy program, complete with arts and crafts and night basketball. Is this big government cradle to grave?

Welfare reform, requiring greater parental responsibility, and other related initiatives geared to getting fathers to fulfill their obligations as fathers, would be the better way of monitoring a youngster's activities in the wee hours of the morning.

More government programs is not the answer.

I encourage my colleagues to oppose the rule on the crime bill, because we can do better, and for our Nation's sake, we must do better.

#### CRIME BILL CONFERENCE REPORT WORTHY TO BE PASSED

(Mr. BILBRAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILBRAY. Mr. Speaker, I heard the gentleman from California from the Long Beach area say that we had not had time to study this bill. I think people forget this is the conference committee report.

For 6 years we have discussed this bill, and we had extensive debate on the floor of this House on every major issue that is in this bill including the assault ban. I voted against that ban. As the undersheriff from Clark County wrote in in support of the bill, he said he supported the bill even though the assault ban was frivolous, because we know criminals buy those guns not from authorized dealers but off the illegal market.

But, on the other hand, there is so much good in this bill, and we have certainly studied this bill and studied this bill and studied this bill. Remember, gentlemen, this is the conference committee report. This is not the initial debate. We debated and debated and debated.

Let us support the rule and move it forward.

I do not like a lot of things that are in it, but I like a lot of things that are in it. I think it is worthy to be passed.

Let us get the rule passed, and let us vote the bill in.

#### PASSAGE OF THE CRIME BILL WOULD BE A CRIME

(Mr. COX asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COX. Mr. Speaker, I have just heard my colleague say that we have studied this issue and studied it and studied it.

We all know what is in it.

Well, in fact, when the conference committee was doing its work, even the conferees did not know the committee chairman was sticking in \$10 million of pork for a local university in his district.

This is what totals \$9 billion of pork in this bill. It is why it is not a crime bill at all. It is in fact a criminal welfare bill.

Why should we call it a criminal welfare bill? Well, first, because in it there is so much welfare for criminals.

Second, all of this pork in a bill such as this under the guise of a crime bill is, well, just criminal, and we ought not pass it.

We have got arts and crafts in this bill. We have got new social workers. We have got dance programs. I am not making this up. I suppose on Mondays and Wednesdays the murderers will lead, and on Tuesdays and Thursdays the rapists and so on.

This is a return of the discredited Clinton pork-barrel stimulus package that Congress defeated last year.

With all of this pork, is there any room for law enforcement? Well, the FBI Director, Louis Freeh, spilled the beans. He tells us the FBI and the Drug Enforcement Administration will lose over 1,000 personnel in order to pay for this bill.

Passage of this so-called crime bill would be a crime.

#### SUPPORT THE CONFERENCE REPORT ON THE CRIME BILL

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, today the House will take up the crime bill. That is good news for the American people.

Before we do, we will have to vote on the rule. I myself will vote "aye" on the rule reluctantly, because I am opposed to the death penalty, and I am opposed to the "three strikes and you are out" provisions in the legislation.

However, having made that point, I will be supporting the rule and the bill most enthusiastically, the bill because of its provisions to fight crime in our country and send a message of comfort and hope to the American people. Those provisions include initiatives to reduce the incidence of violence against women, and very importantly, it provides a civil rights cause of action for the victims of gender-motivated violence. The bill gives judges more discretion in sentencing first-time nonviolent offenders, a loosening up of the mandatory minimum sentences that are crowding our prisons.

In terms of violence against children, it strengthens Federal penalties against people convicted of assaulting children 16 years and under.

I particularly wish to commend Mr. SCHUMER and the House leadership for their commitment to a ban on assault weapons.

The list goes on and on with provisions which will help reduce crime in our country.

I urge our colleagues to support the rule in spite of reservations that you may not like the bill 100 percent. On balance, it is a great bill.

#### TAKE SOCIALIZED SPENDING OUT OF THE CRIME BILL

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CUNNINGHAM. Mr. Speaker, the gentleman from California is correct. There are a lot of good items in this bill, and the little issue that most of us resent is the \$9 billion in socialized spending.

Let us take ourselves back in the debate 100 years ago where we might hear:

Marshall Dillon, do not worry about the hole-in-the-wall gang. They are not going to cause you any more problems, because we took the carbines away from Dodge residents. By the way, Marshall Dillon, the prisoners you have in jail, we are going to give them dance lessons. Miss Kitty, those folks down at the Long Branch Saloon, no problem, we have got 40,000 social workers to take care of them, and if they still get rowdy, we have got a midnight basketball program for all of those cowboys. But they have to be 2 percent HIV positive. You do not have to work past midnight.

Let us not support the rule.

If you support this rule, Mr. Dillon, Marshall Dillon, we are going to give you a big, fat pork-barrel program in your city.

Our leadership offered the President a \$9 billion way out of this bill by saying:

Let us take the \$9 billion and separate it and vote on it separately. Let us take the \$9

billion and put it toward the real crime bill and take out the socialized spending.

#### STAY ISSUED BY SUPREME COURT IN LOUISIANA V. HAYS

(Mr. FIELDS of Louisiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FIELDS of Louisiana. Mr. Speaker, I rise today to inform the House that about 30 minutes ago the U.S. Supreme Court voted to uphold the voting rights of all Americans in a decision of 8 to 1 upholding and issuing a stay in the case of Louisiana versus Hays.

I would like to at this time, Mr. Speaker, thank the President of the United States of America, who took a very firm stand for voting rights in this country, and also I would like to thank the U.S. Attorney General, Janet Reno, as well as the Assistant Attorney General for Civil Rights, Mr. Devol Patrick, who worked so hard to protect the Voting Rights Act that we passed in this Congress, and the Solicitor General, Drew Days, who worked so hard to defend the Voting Rights Act in this country, the State attorney general of the State of Louisiana, attorney general Richard Iyoubé, and also the assistant attorney general, Mr. Roy Mongrue, who worked so hard day and night to defend the Voting Rights Act for the citizens across the State of Louisiana.

I would like to also thank, Mr. Speaker, the Lawyers' Committee on Civil Rights, the NAACP Legal Defense Fund, and I would like to finally thank Judge Leon Higginbotham, all who have worked hard to preserve the Voting Rights Act, an act this body passed and an act that ought to be upheld in every court all across the country.

ORDER LIST—THURSDAY, AUGUST 11, 1994

ORDER IN PENDING CASE

A-64—LOUISIANA, ET AL. V. RAY HAYS, ET AL.

A-75—UNITED STATES V. RAY HAYS, ET AL.

The applications for stay presented to Justice Scalia and by him referred to the Court are granted and it is ordered that the judgment of the United States District Court for the Western District of Louisiana, Civil Action No. CV 92-1522S, filed July 25, 1994, is stayed pending the timely filing of statements as to jurisdiction in this Court. Should such statements be so timely filed, this order shall remain in effect pending this Court's action on the appeals. If the judgment should be affirmed, or the appeals dismissed, this stay shall expire automatically. In the event jurisdiction is noted, or postponed, this order shall remain in effect pending the sending down of the judgment of this Court.

Justice Scalia would deny the applications.

#### JUST SAY NO TO THIS CRIME BILL

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, I ask my colleagues to take a hard look at the final crime bill before the Congress today.

If more police were the answer to our crime problem, Washington, DC, should be one of the safest places in the Nation.

If tighter gun control laws would bring down crime, Washington, DC, with some of our Nation's toughest weapons control laws, should be a secure place to live and work.

If more social workers and government employees were the answer to our crime problem, Washington, DC, should be a model for a safe community.

Unfortunately Washington, DC—our Nation's Capital—in spite of having all the features touted as solutions in this crime bill, has one of the highest crime rates in the world.

We do not solve our crime problems with children playing federally financed basketball after midnight in cities with curfews.

We do not reduce crime by cutting drug enforcement, sending our children a mixed message about drugs, and releasing 10,000 convicted drug felons into our neighborhoods.

Send this bill back, I say to my colleagues, because we can do a better job.

#### TRUTH TIME ON CRIME

(Mr. KREIDLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KREIDLER. Mr. Speaker, today we vote on the crime bill.

This bill will do more to get tough with criminals than anything we have ever done.

This bill will also do more to get smart about preventing crime than anything we have ever done.

But this bill is not tough enough for some people.

Well, how many police does it take to be tough?

This bill has 100,000 more cops.

How many prisons does it take?

This bill has \$8 billion for new prisons.

And how many death penalties does it take? This bill extends the death penalty to 60 new crimes.

If you oppose this bill because it is not tough enough, tell that to the women who are beaten by their husbands, who would get help under this bill.

Tell that to the prosecutors in my district who would get help from this bill.

And tell that to Mary Glenn in my district, whose 15-year-old son, Shaun Proctor, was killed with an assault rifle when he went out for pizza.

Tell the millions of victims this bill will help that you think it is not tough enough.

Tell them that your answer to them is "tough luck."



□ 1230

**CRIME BILL NOT TOUGH ENOUGH**

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, we have heard a lot today about this tough crime bill the Democrats are bringing out. I would suggest this is not a tough crime bill. They referenced the fact that there are 100,000 new police in the bill. They are going to need 100,000 new police to chase the 10,000 drug criminals that they are going to release as a result of the bill.

That is right, under this bill what they are going to do is take drug criminals who are now in jail and retroactively reduce their sentences so they are back on the streets in our communities. Most Americans understand the violence in our communities. Most Americans understand the violence in our communities is largely related to the drug crimes, and now we are going to put drug criminals back on the streets for the police to go after.

That just does not make any sense.

What else do we do in this bill? Well, we put \$20 million in the bill for public policy seminars. Now is that not wonderful? I know a lot of criminals who are really concerned about public policy seminars.

What about all the social programs? Just think of this: If you are in trouble, you call 911. Instead of the police what you get is a social awareness counselor, "That is not a mugger pointing a gun at you, ma'am," they say, "that is an individual who is crying out for help."

What we need is a SWAT team of real people doing real criminal activity out there, not a lot more social workers.

**CONFERENCE REPORT ON H.R. 4277, SOCIAL SECURITY ADMINISTRATIVE REFORM ACT OF 1994**

Mr. JACOBS. Mr. Speaker, pursuant to the order of the House of Friday, August 5, 1994, I call up the conference report to accompany the bill (H.R. 4277) to establish the Social Security Administration as an independent agency and to make other improvements in the old-age survivors and disability insurance program.

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the rule, the conference report is considered as read.

(For conference report and statement, see proceedings of Thursday, August 4, 1994, at page H6843).

The SPEAKER pro tempore. The gentleman from Indiana [Mr. JACOBS] will be recognized for 30 minutes, and the gentleman from Texas [Mr. ARCHER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Indiana [Mr. JACOBS].

Mr. JACOBS. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Speaker, I thank the gentleman from Indiana [Mr. JACOBS] for yielding this time to me.

Mr. Speaker, I rise today in support of H.R. 4277, the Social Security Administrative Reform Act of 1994.

Title I of this bill establishes the Social Security Administration as a separate, independent agency. This is a landmark step in the continuing effort to make sure that the Social Security System is properly and impartially administered.

For too long the Social Security Administration has been caught in the middle of political and budgetary disputes. This legislation will go a long way to protecting the agency from the crossfire of partisan politics. In my judgment, granting SSA independent agency status will promote long-term stability in the Social Security Program. Such stability is essential in this program which provides basic retirement income security for almost every American worker.

I particularly want to commend Chairman JACOBS and Mr. BUNNING for their tenacity in advancing this legislation. The issue of independent agency status for the Social Security Administration has been the subject of many studies, reviews, and House votes over the years. In fact, yesterday marked the 10th anniversary of the day, August 10, 1984, that I, joined by Chairman DAN ROSTENKOWSKI, first introduced legislation to grant SSA independent status. The conference report before us today will finally make real the intent of that first bill which we introduced a decade ago. While it has been a long time coming, it has been worth the wait. And I think that Republicans and Democrats, who have consistently supported this reform over the past decade, and here I want to especially note the unwavering support of Mr. ARCHER, all should take great pride in the ultimate attainment of our goal.

Mr. Speaker, I would also like to call the Members attention two other provisions of the bill which address problems encountered in the SSI disability program.

The first provision deals with the granting of disability benefits in situations involving middlemen who are fraudulently causing millions of dollars in benefits to be paid to people who are feigning mental disorders. Section 206 of the conference report, which was proposed by myself, and Messrs. HAROLD FORD, HOUGHTON, and SANTORUM, will help to prevent this fraud by: Insuring accurate translations of interviews conducted by SSA officials; establishing streamlined procedures for terminating fraudulently obtained SSI benefits; and increasing civil and criminal sanctions available to SSA in SSI fraud cases.

The second provision deals with the continued payment of SSI disability benefits to recipients who are no longer

disabled. Under current law there is no requirement for SSA to conduct continuing disability reviews for SSI recipients, even in cases where it is anticipated that the medical condition of the beneficiary will improve. The failure to conduct these disability reviews has led to the payment of hundreds of millions of dollars each year to people who are no longer disabled. Section 208 of the conference report, which is the result of a proposal advanced by Mr. HERGER and myself, requires SSA to conduct disability reviews for at least 100,000 SSI recipients per year for the next 3 years, and to report the results of such reviews to Congress no later than October 1, 1998.

Mr. Speaker, I want to conclude by complimenting the leadership of the Committee on Ways and Means for this very solid piece of legislation. Chairman GIBBONS and subcommittee Chairmen JACOBS and FORD, working closely with Mr. ARCHER, Mr. BUNNING, and Mr. SANTORUM, have crafted a bill which will significantly improve the operations of the Social Security Administration. Its immediate enactment will be a credit to us all, and I urge that all Members vote for these important reforms.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am extremely pleased to be here today, in support of the conference agreement on H.R. 4277, which represents the culmination of congressional action I helped initiate over a decade ago.

The Social Security System has always been extremely important to me. It's one of the very few Government agencies that most Americans have direct contact with and it's likely that many of our constituents measure the way Government performs generally by the way Social Security performs when they need it.

Bringing soundness to the Social Security System has been one of my chief legislative priorities since I was elected to Congress. We owe it not just to our senior citizens, but to our children and the obligations we leave them. That is the reason that I chose to become the ranking Republican on the Social Security Subcommittee when it was first created.

It is also the reason that I sponsored the first House bill creating an independent Social Security Administration with my colleague from Texas [Mr. PICKLE], was then the subcommittee's first chairman. I commend the work of my colleagues, JIM BUNNING and ANDY JACOBS, for carrying through that earlier work. Their efforts have been invaluable.

Mr. Speaker, making Social Security independent will not solve all of its problems, but I believe that freeing it from the layers of bureaucracy imposed on it by HHS will go a long way in making it less political, more responsive, and more accountable. It is also

critical to its survival as a vital public service agency which administers the most important social program ever enacted.

The 1983 Social Security Commission, on which I served, recommended a study to make Social Security an independent agency, a recommendation that became part of the 1983 Social Security Amendments. Former Comptroller General Elmer Staats headed up the study panel, which recommended that an independent Social Security Administration be run by a single administrator, backed by a bipartisan advisory board. I am very pleased that the conference approved the form of administrative leadership specified in the bill introduced by the ranking Republican on the Social Security Subcommittee, Mr. BUNNING. His bill provided the same form of leadership as was endorsed by the experts on the Staats panel.

I believe that the seven-member bipartisan advisory board will plan a critical role making Social Security less political and in improving the public's confidence in the Social Security System.

This board will be independent of the Social Security Administration and Government in general. It will be made up of individuals who share a knowledge of the Social Security System as well as a strong desire to restore it to its former status as a premier public service agency which enjoyed the public's respect and confidence.

One of the most important jobs the Board will have is to increase the public's understanding of the Social Security System. I hope that as a result of the Board's efforts the average citizen will have more confidence in the Social Security System, and will become more aware of the need to plan and save overall.

The bipartisan, nongovernmental advisory board will play a vital role in both protecting the public's interest in Social Security and providing the public truthful information about their stake in the system.

The conference agreement contains other provisions that are important to average Americans, who strongly support Social Security, but want benefits to go to only those who are entitled to them. Thanks to the persistence of two House conferees, the gentleman from Texas [Mr. PICKLE] and the gentleman from Pennsylvania [Mr. SANTORUM], the agreement tightens up on SSI disability benefits by requiring Social Security to review cases to make sure recipients are still disabled.

It also starts to tighten up on payments to drug addicts and alcoholics by putting a 3-year limit on benefits, and by requiring that during that time recipients undergo treatment and be paid only through a responsible third party. These restrictions should provide an incentive for addicts and alco-

holics to get their lives back on track. I know that average Americans and health professionals alike object to helping addicts and alcoholics fuel their addictions by giving them cash benefits, and I look forward to working with the subcommittee and committee to take further action on these issues.

Mr. Speaker, I join Chairman GIBBONS, subcommittee Chairman JACOBS, and our Republican leader on Social Security, Mr. BUNNING, in strongly supporting this conference agreement.

□ 1240

Mr. JACOBS. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Speaker, for more than a decade, the Committee on Ways and Means has been seeking to give the Social Security Administration independence.

Our goal has been to restore the agency's mission of excellence, and protect SSA from short-term political pressures.

I have been a long-time proponent of this legislation. The House has passed the bill four times by overwhelming margins.

Now that the Senate has at last joined us in this effort, we are about to make our goal a reality.

Social Security is our Nation's most successful program. There is no more effective way to signify this program's importance than to give SSA independent status.

H.R. 4277 also includes a provision to restrict disability payments to drug addicts and alcoholics.

It would do this by paying through a responsible third party, requiring beneficiaries to participate in treatment, and applying time limits on benefits.

These are important reforms that would assure that Social Security and SSI benefits are used as intended—to cover the cost of basic necessities such as food, clothing, and shelter.

Mr. Speaker, this is a historic moment for Social Security and the successful end of a decade-long effort by the Committee on Ways and Means.

I commend my colleagues for their hard work, and I look forward to the improvements in service to Social Security beneficiaries that this legislation will bring.

Mr. BUNNING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise enthusiastically in support of H.R. 4277 and urge my colleagues to join me in once again approving this monumental piece of legislation to restore independence to the Social Security Administration.

We owe a special thanks to our Social Security Subcommittee chairman, Mr. JACOBS, who has shown great leadership and dedication in the development of this bill as has our ranking member, Mr. ARCHER, who has been un-

wavering in his support on this issue for over a decade.

And, of course, the acting chairman of the full committee, Mr. GIBBONS, deserves recognition for shepherding this legislation through conference.

In fact, all the conferees and staff who worked at ironing out the final bill that is now before us were great to work with. The conference was very congenial, totally bipartisan and a real pleasure.

And, most importantly, we have ended up with a good bill. It does a lot of things to improve Social Security.

This bill fixes many parts of the existing law which are broke and needed fixing. It makes disability payments to substance abusers more accountable. It requires that substance abusers participate in treatment or lose their benefits. It insures that benefits will not be used to support an addiction.

It allows police and firefighters in all the States the option of participating in Social Security. Only 24 States now have this option.

It provides that any borrowing against the Social Security trust fund must be evidenced by physical documents—bonds, notes, or certificates. It's time we got the trust fund IOU's in writing and this bill does that.

This bill increases the Social Security exclusion for election workers to a reasonable level that will not discourage people from working at the polls.

It does a lot of things.

But, of course, the most important point of this bill is to accomplish something that members of this body have been trying to do for years—to restore independence to the Social Security Administration.

In 1935, when Social Security was established, it was freestanding and independent, run by a three member board. Over the years it was expanded to be the Federal Security Agency and then it was folded into the most legendary of all bureaucracies, the Department of Health, Education and Welfare.

Later, Education was spun off and H.E.W. became the Department of Health and Human Services.

Social Security got lost in the process.

This bill takes the Social Security Administration out of the basement of the Department of Health and Human Services where it has been lost in the bureaucratic shuffle.

It emancipates the Social Security Administration from the bonds of politics and insulates it against the gale winds of Presidential posturing, bureaucratic infighting, and budgetary games.

This bill insures that Social Security will no longer be a political football.

This bill provides much-needed stability at SSA by creating the positions of a Commissioner and a Deputy Commissioner to be appointed by the President and confirmed by the Senate, for 6-year terms.



In the past 17 years, 12 Commissioners or Acting Commissioners have come and gone. Social Security has suffered from revolving-door leadership. This bill changes that and provides the kind of stability and a clear-cut line of responsibility any organization the size of SSA needs to be efficiently managed.

To further strengthen oversight and accountability, this bill creates a bipartisan seven-member advisory board to provide advice on Social Security policy. Three members would be appointed by the President; four by the Congress, and, again, to provide continuity and insulate the agency from politics, the members would serve staggered 6-year terms.

I am particularly pleased that the conferees chose to go along with this form of leadership for Social Security that I specified in my bill on the subject—a single administrator backed by a seven-member board.

By granting Social Security its independence and backing it up with this well-balanced management structure, we will provide the stability and the nonpartisan credibility we need to restore the confidence of the American people that Social Security will indeed be there when they need it.

I strongly urge my colleagues to support this measure and give Social Security its independence.

□ 1250

Mr. Speaker, I reserve the balance of my time.

Mr. JACOBS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Fourth of July has come and gone. It has been two long and eight regular-sized years now, since this effort was begun. Now on this 11th day of August, 1994, A.D., the Liberty Bill can ring for the Social Security System. The House of Representatives, by what it is about to do will take the final action in a 10-year effort. Our action realizes the perseverance and the effort of 10 years to make a declaration of independence for the Social Security System.

Many Members have made special contributions. I begin by naming my friend and my colleague, the gentleman from Kentucky [Mr. BUNNING]. Our relationship as chairman and co-chairman of the Social Security Subcommittee reminds me fondly of those greats of the U.S. Congress, William McCulloch of Ohio and Emanuel Celler of New York, and the splendid fashion in which they worked and brought credit to this institution. So I pay special tribute to the gentleman from Kentucky [Mr. BUNNING] for the cooperation we have been able to find between us.

The gentleman from Texas [Mr. PICKLE] has been through the years a strong advocate, as has the gentleman from Texas [Mr. ARCHER], as has been men-

tioned. The gentleman from Illinois [Mr. ROSTENKOWSKI] has been also, and the gentleman from Florida [Mr. GIBBONS] has been. In fact there are very few people on the committee who have not been strong advocates for this legislation.

But I think it is especially appropriate to mention that the legislation took 10 years because the White House was opposed and in essence the other body, the Senate, was opposed. So I take this occasion to commend our colleague, Mr. MOYNIHAN of New York, for at long last reversing the refusal of the other body. Similarly, we have had three Presidents while this effort was under way, and President Clinton has endorsed the plan at long last, reversing White House opposition.

Mr. Speaker, one hears it said that the funds of the Social Security system are being purloined and used for the general government. With the exception of two occasions in the 1980's, this absolutely is not true. The Social Security System since its inception has been required to invest its surpluses in the most conservative, the safest securities available, and any financial adviser worth his or her salt will tell us that is U.S. securities. My wife and I have our life savings essentially in U.S. bonds.

If you put \$1,000 in the bank and some fool comes along and borrows that \$1,000 from the bank to squander on something, still as far as the bank and as far as you are concerned, the question is, Can and will that individual pay that money back and pay the interest on it? In the case of the Social Security trust fund, no doubt some of the funds borrowed, as is the case with funds borrowed from other sources by the U.S. Government, are wasted. Yet as far as the Social Security trust fund itself is concerned, it has just as legal a claim on the U.S. Treasury for the interest and repayment of the loans of the surplus as any individual who holds U.S. bonds in this country. Yet it continues to be thundered across areas of this country that the money is being taken from the Social Security System without the inconvenience of borrowing and paying interest.

I keep thinking about the story FDR told once about Uncle Jed and Ezra.

Ezra said, "Uncle Jed, aren't you getting a little hard of hearing?"

And Uncle Jed said, "Yes, I'm afeared I'm getting a mite deaf." Whereupon Jed went down to Boston to see an ear doctor, and he came back and said, "That doctor asked me if I had been drinking any, and I said, 'Yes, I drink a mite.' He said, 'Jed, I might as well tell you now that either you cut out the drinking or you're going to lose your hearing altogether.'"

"Well," said Uncle Jed, "I thought it over and I said, 'Doc, I like what I've been drinking so much better than what I've been ahearin' that I reckon I'll just keep on getting deaf.'"

So the assertion that you hear time and time again—that this money is being taken from the trust fund and that the Government is not keeping faith with the investors and the taxpayers of this country—is something to which I would advise you to turn a deaf ear.

Mr. Speaker, I reserve the balance of my time.

Mr. BUNNING. Mr. Speaker, I yield 1 minutes to the gentleman from New York [Mr. HOUGHTON].

Mr. HOUGHTON. Mr. Speaker, I rise in support of the conference report on H.R. 4277.

I will not repeat some of the wonderful things that have been said on a bipartisan basis. I respect the gentleman from Indiana [Mr. JACOBS] and the gentleman from Kentucky [Mr. BUNNING]. I think that what my leader, the gentleman from Texas [Mr. PICKLE], has done has been absolutely extraordinary.

I would like to focus on one particular feature that I think is important here, and that is a section called section 231. That does not mean much to a lot of people. However, it happens to involve fraud.

One of the things which the Ways and Means Committee was able to detect over the years, after a year-long investigation, was that there had been tremendous fraud perpetrated upon immigrants coming into this country. People would take advantage of them, put them on the SSI rolls, steal money from the Government and the taxpayers, and do this thing illegally. That has been stopped, to the best of my knowledge. We now have better information. We have laws to protect against this thing.

Mr. Speaker, I think this is very important. The reason I mention it is because it is one of the several features that are, I think, important in establishing Social Security as an independent agency. I thank the Members very much for accomplishing that.

Mr. BUNNING. Mr. Speaker, I yield 6 minutes to the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. Mr. Speaker, I thank the gentleman for yielding time to me.

I rise in strong support of the conference report, and I also want to commend the gentleman from Indiana [Mr. JACOBS], the gentleman from Kentucky [Mr. BUNNING], and also the gentleman from Texas [Mr. PICKLE], for the fine work they have done on this legislation.

I think it is important that Social Security become an independent agency, and those arguments have been made. What I want to focus on today is a subject that I was involved with in the conference, and that is the SSI reforms that are in the bill. I believe now, having looked at the SSI Program for the 2 years I have been on the

Human Resources Subcommittee, that there is no entitlement program that is more abused and more fraud-ridden than the SSI Program. What we have done today is take a first step toward entitlement reform.

We have heard a lot of talk about this and people have asked, "What are you going to do about entitlements?" Well, today we have an opportunity to do something about entitlements. We have solid reforms in this proposal that are going to make, I believe, some important gains in controlling the cost of entitlements and reducing fraud and abuse in entitlements.

But this is only a first step. There are many miles to travel before we can clean up the SSI Program from the state it is in right now or even the state it will be in after this legislation has been adopted.

Let me take the time to talk about two things that are, I think, good steps that we have taken and then focus on the problems that I think still remain. The gentleman from New York [Mr. HOUGHTON] just talked about the middleman provision about which the gentleman from Texas [Mr. PICKLE] had hearings in his Committee on Oversight and that were, I think, addressed on target. It was a very good amendment. It addresses the issue of aliens in this country who come here to this country and get on SSI fraudulently. That is a good amendment, one that is going to cut down on fraud and abuse and save the taxpayers money.

□ 1300

Another step that was a good step that the gentleman from Texas [Mr. PICKLE] and I worked on in the conference committee and were able to get installed in this legislation had to do with mandatory disability reviews. There were no mandatory disability reviews that were going to be provided for in the conference report. We were able to strike a compromise in the House position which was going to require all mandatory disability reviews for all supplemental security recipients, to 100,000 per year for disability cases and for over a 3-year period, and one-third of all children who qualify for SSI, who when they turn 18 are re-evaluated under different criteria, that is as adults, and whether they would qualify for disability as adults rather than disability as children.

We think those are very important steps to determine the level of review that needs to be done. We are going to do a 3-year implementation of this, take a look at the results, and see if we save money, see if there is the need to continue these disability reviews and expand them.

I want to commend the gentleman from Texas [Mr. PICKLE], in particular, for the tremendous work he did in the conference committee to seek this provision and get it included in the conference report.

Unfortunately, we have only taken those few first steps. There are other areas that I think we need some more work to be done in. One is on the SSI DA&A Program, a supplemental security income drug addicts and alcoholics program.

These are people who qualify for SSI simply because they are so addicted to drugs and alcohol they cannot work. They have no other disability, other than the fact they are so drug addicted to illegal narcotics or addicted to alcohol that they can no longer perform work. So we give them money. We give them cash. We give them medical care. In many cases we give them food stamps.

In 1985, there were 3,500 people on this program. Today there are almost 80,000 people on this program. In 1989, we spent \$55 million on this program. Today we spend \$350 million on this program.

Only 8 percent of the people are in treatment. Yet every one is required to be in treatment. But only 8 percent are in treatment. The Social Security Administration testified before our subcommittee and said that we knew very little about treatment progress of SSI recipients, and could document few, if any, recoveries in the history of the program. So this is not a program that is working.

So what we have been recommending strongly is to do something dramatic to change it. What we have done in this bill, in my opinion, is piecemeal. It is a positive step, but it does not go far enough. We have capped the amount of time you can be on SSI to 36 months, 3 years, that you can be on SSI if you are in the drug addicts and alcoholics program. That is a start. But we have to be much more dramatic in trying to get people off drug addiction and alcoholism and back into the mainstream society, and not paying people money to support their addiction and their habit.

The second thing that I think we went only a very small step on has to do with SSI for children. Ever since the decision back in 1991 in the Zebley case we have seen an explosion of children going on SSI and their parents receiving large checks from the Government. In many areas of the country, they are called crazy checks. These are checks given because now under the Zebley decision, your child qualifies for SSI if your children are exhibiting age-inappropriate behavior.

Now, for age-inappropriate behavior for your children, you get a \$450 check a month from the Federal Government. With the amendment of the gentleman from Wisconsin [Mr. KLECZKA] in the committee, we will do a study as to whether we can turn these cash payments to these parents, who we have evidence in some cases of coaching their children to get these checks, we have a study to look to whether we can

go to a voucher program for treatment of children who are having problems, as opposed to cash to parents of these children.

Finally, we really do not address the issue of noncitizens receiving SSI. We have \$7 billion a year being paid to noncitizens in this country for welfare payments, and a big chunk of that is SSI. Half a million people who are noncitizens of this country receive SSI benefits today, and it is a growing problem, growing faster every day. We must do something about that.

This is a positive first step. I hope we can come back in future Congresses to take more steps.

Mr. JACOBS. Mr. Speaker, I want the record to show that Valerie Nixon, Sandy Wise, Elaine Fultz, Cathy Noe, and Phil Mosely have all contributed mightily to putting this whole revolutionary program together. They are staffers on the committee. We could not have done it at all without the help of Janice Mays, the staff director at the Committee on Ways and Means, aka, Amazing Janice.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. FINGERHUT].

Mr. FINGERHUT. Mr. Speaker, I thank the gentleman from Indiana for yielding. I want to compliment the gentleman and each and every member of the Committee on Ways and Means, both the majority and minority side, who have led the fight for this historic legislation for so many years. I also want to add my thanks to President Clinton and the administration for endorsing this bill, which gave it critical support when it needed it.

Mr. Speaker, I rise today in strong support of the conference report on H.R. 4277, legislation that would make the Social Security Administration an independent agency with an accountable administrator supported by a bipartisan independent advisory board.

The Social Security Administration is one of the most important agencies of our Federal Government, with 64,000 employees. It is the largest division of the Department of Health and Human Services and one of the largest Federal agencies of any kind. Maintaining the integrity of the Social Security System is vital to the well-being of our seniors. The Government must keep its promises. It must not, and it does not, as the gentleman from Indiana [Mr. JACOBS] said before, use the Social Security moneys for other programs. But an independent agency will maintain the integrity of these funds and will fight for the rights of seniors.

Most importantly, an independent Social Security Agency will protect the agency from the political whims of the moment.

I believe that the final passage of this legislation will greatly benefit my constituents. As an independent agency, the Social Security Administration will be able to focus on the goal of improving service and responding more



efficiently and effectively to the people it serves. Most importantly, such a move will enhance the confidence of the American people in an agency which is a vital part of their lives.

Mr. Speaker, there are many other important provisions of this bill. The gentleman from Pennsylvania [Mr. SANTORUM] and others have referred to the provisions with respect to the Social Security disability program to tighten the requirements and make sure we are not needlessly paying out money to support drug and alcohol addiction programs. I support those reforms.

There is also a small but very important reform in this bill that allows election day workers, those people who perform their civic duty, to not have to pay Social Security benefits on their poll payments, a small but very important and significant provision of this bill.

Another important provision of the bill would increase penalties against deceptive mass mailings that cheat thousands of senior citizens by mimicking official Social Security correspondence.

Mr. Speaker, I strongly support this conference report and urge its passage.

Mr. BUNNING. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, first off, I want to congratulate the gentleman and the distinguished chairman of the Subcommittee on Social Security on which I serve, too, for the outstanding bipartisan contribution that they have made. It is long overdue, and a lot of the things that are being addressed in this bill, while perhaps there are still further improvements down the road that can be achieved, I think make a major step forward in the right direction. The most important, of course, is depoliticizing any aspect of this important new independent entity, the Social Security Administration as an independent agency.

I think in addition to that, the reforms on drug and alcohol abuse, those are critically important reforms, and the bill does indeed provide the incentives for people to get out of drug and alcohol addiction, and I think that they are two important ingredients of this that in and of themselves, aside from the other reforms that are contained therein, warrant the support on a bipartisan basis of all the Members of this Chamber. I urge every one to vote for the conference report on H.R. 4277.

Mr. Speaker, as a member of the Ways and Means Subcommittee on Social Security, I urge my colleagues to support the conference report on H.R. 4277, the Social Security Administrative Reform Act. I believe this legislation is an important step toward the efficient operation and administration of the Social Security Program.

In too many instances, political fluctuations have brought instabilities to the Social Security Administration. This legislation will remove those uncertainties and allow for continuity in the agency's operations. Starting in April of next year, Social Security will be run by a commissioner and a bipartisan board, appointed for specific terms of office and therefore somewhat more removed from the political process.

Another important provision of this legislation is the reform of disability compensation for drug and alcohol addicts. Current law allows for far too much abuse of the system, intentional or otherwise, as addicts who are not cured of their disability remain on the welfare rolls. In contrast, this legislation forces addicts to assume some measure of responsibility for their condition, not only requiring them to seek treatment but also providing an incentive for them to actively seek self-sufficiency. Requiring treatment will force addicts into beneficial programs, and cutting off benefits after 3 years will undeniably provide motivation for addicts to put their addictions behind them and return as productive members of society.

These changes are especially relevant in a year when Congress is attempting to tackle welfare reform. No longer can we afford to dole out Federal largess without any promise of improvement. Some have criticized the cutoff of benefits as arbitrary and counterproductive for those who have not yet completed treatment, but I believe that we must provide incentives for those who rely on Federal payments to find other means of support. It is a lesson that we should all bring to the debate over welfare as well.

This legislation makes important changes to the Social Security Administration. And it marks an important change in how we approach our social spending. I hope that my colleagues on both sides of the aisle will join in support of this long overdue reform.

Mr. JACOBS. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. BARCA].

Mr. BARCA. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, today is another banner day for Congress. Yesterday we passed the Congressional Accountability Act, and today we pass the bill to make Social Security an independent agency and make other important changes within that area.

We want to protect Social Security from political pressures and, most important, guarantee the integrity of our Social Security funds. Since Franklin Delano Roosevelt first pushed Social Security, it has been one of the most important programs to provide for the security and dignity of Americans in retirement. It has always been a very important buffer for people in tough economic times.

Senior citizens throughout Wisconsin and America can rest a little easier with the passage of this bill. Also I had heard from many poll workers in my district, such as Norm Buckholtz and Eleanor Covelli, and many others that believe that we need to exempt them from the taxes from Social Security, and I thank the gentleman from Indiana [Mr. JACOBS], for his hard work in that effort.

Finally, and equally importantly, a provision to curb benefits for alcoholics and drug addicts is part of this bill. I had visited many treatment centers in my district and have been working on legislation in this respect. I believe this is an important provision to limit payments to 36 months and ensure that the moneys are going to curb addiction rather than feed people's addiction. Hopefully this will be just one of a number of steps that we can take in this regard.

So today is a great achievement for the Social Security Program. It is a great achievement for the 103d Congress. I thank the chairman and his committee for their outstanding work. I believe that FDR is smiling with great favor upon the 103d Congress today.

Mr. BUNNING. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. CAMP].

Mr. CAMP. Mr. Speaker, I thank the gentleman from Kentucky for yielding time to me.

Mr. Speaker, I rise today in support of the Social Security Administrative Reform Act Conference Report.

This bill, establishes the Social Security Administration as an independent agency. It will ensure the integrity accountability of Social Security by greatly diminishing the politics of the agency. It will remove the agency from the control of HHS and better enable the Government to keep its promise to older Americans.

As a member of the Committee on Ways and Means, I have seen evidence of Social Security disability abuse. Under the current, SSI program some drug addicts and alcoholics defraud the system, rather than get treatment for their addiction. This legislation is a first step in addressing the abuse and fraud within the SSI Program. It is our intention to continue working to reform current law and bring a balance to the disability program.

This bill will also provide Social Security tax relief to election workers which have been unfairly taxed causing added administrative burdens to local governments, charged with conducting our elections.

I urge my colleagues to restore senior citizen's trust in the Government by voting for this conference report. It is a good idea for the Social Security Administration and best of all a good idea for the American people.

Mr. JACOBS. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. KLECZKA], the author, I might add, of the reform on the drug addiction.

Mr. KLECZKA. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of the conference report and ask unanimous consent to revise and extend my remarks.

Mr. Speaker, one of the focuses of the 103d Congress has been to make the Federal Government run more efficiently and to increase the general public's confidence in its Government.

We are committed to this objective and have made strides toward achieving it.

H.R. 4277 takes a step in this direction. By making SSA an independent agency, we hope to increase the quality of service it provides.

Currently, SSA is overwhelmed: there is a tremendous backlog in disability cases waiting to be processed, agency employees are sometimes difficult to reach, and responses are often slow in coming and errorprone upon arrival.

This is due to: an overburdened system plagued by shortages of staff and rising numbers of cases, as well as a high-rate of turnover among top agency officials.

By creating an independent, more stable, structure for the agency, we will hopefully correct some of the problems with the current system.

We will thereby increase confidence that the Social Security System will be able to provide the quality of service and benefits that is expected.

The bill also makes headway in reforming the current system by demanding accountability for disability payments to substance abusers.

My office has received numerous calls from constituents who are adamant that their hard-earned tax dollars not be used to finance the habits of drug addicts and alcoholics.

The issue is not that we should withhold assistance from substance abusers who are seeking rehabilitation. We should help them if they are committed to rehabilitating themselves and improving their lives.

The Department of Health and Human Services Inspector General recently tracked 196 substance abusers on SSI for 3 years:

Only 1 of these 196 recipients left the SSI rolls due to self-sufficiency.

This led the IG to determine that current treatment efforts appear to result in few complete rehabilitations that eliminate a recipient's need for SSI.

Clearly, this is a program that's not working.

If we're not helping substance abusers successfully rehabilitate and become capable of earning income, then the program is failing both the recipient and the taxpayer.

We cannot allow this to continue.

H.R. 4277 includes a time limitation provision I offered, along with my colleague from Oklahoma, [Mr. BREWSTER].

Under this provision, substance abusers who qualify for benefits because of their addictions will only receive cash assistance for 36 months.

Mr. Speaker, at some point, we must say enough is enough. At some point, the recipient must be asked to take ultimate responsibility for his or her life.

By enacting this bill, Congress is saying 3 years is the appropriate point.

While this bill does a good job of addressing some of the problems with the SSI and SSDI Programs, this is just a first step.

Some of the changes in H.R. 4277 are modest ones, and we must ensure that payments are used for their intended purpose.

In general, the Social Security Administrative Reform Act proposes innovative solutions to problems faced in various programs under the jurisdiction of SSA.

However, more must be done.

We must continue to scrutinize this system in search of ways to improve failing programs and recoup wasted resources.

The American people expect and deserve quality service from their government, and they want to know that their tax dollars are being used wisely.

Mr. Speaker, we have the responsibility to live up to these expectations.

Mr. BUNNING. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Speaker, I rise in strong support of this legislation, which includes a provision I offered which will begin conducting continuing disability reviews in the SSI Disability Program—a reform which will make a significant contribution to ending fraud in this program, saving up to \$300 million in future years.

I would like to thank my colleagues, chairman GIBBONS and ranking member BILL ARCHER for their support. I also want to thank subcommittee chairman ANDY JACOBS and ranking member JIM BUNNING, and particularly the gentleman from Texas [Mr. PICKLE], who has been a strong advocate of this reform, and the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. Speaker, compiling a profile of those collecting SSI disability benefits who are most likely to recover is crucial to getting a handle on spending in the SSI Disability Program, which is the fastest growing entitlement in the Federal budget. It is amazing that, until now, the Social Security Administration was not required to verify that persons receiving SSI disability benefits were still eligible for benefits, even after the passage of many years. While many people may well recover from their disability and be able to go

back to work, until now we have not required any effort to find this out.

This has only fed the explosion of our disability rolls, thus jeopardizing benefits for those who remain truly disabled and have no other source of income.

Eliminating this oversight is an important feature of H.R. 4277. I urge my colleagues to support responsible reform of our disability programs.

Mr. BUNNING. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky [Mr. LEWIS].

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman from Kentucky for yielding time to me.

I also want to thank him for his dedicated work toward bringing this bill to the floor today.

Mr. Speaker, I rise today in strong support of this landmark legislation, H.R. 4277, that finally gives the Social Security Administration its freedom.

By making the Social Security Administration an independent agency, H.R. 4277 gives SSA a chance to operate the way it was originally intended when this program was first created. SSA will no longer be subject to the restraints and red tape that come from being part of the Department of Health and Human Services.

SSA will be able to concentrate on administering its programs, and provide better, cost effective, and more efficient service to the American people.

Social Security is one of the most important programs that our Government offers. Since just about every American pays into it during their lives, it is our responsibility to make sure that the Social Security system is strong and solvent for generations to come.

By passing this conference report and making SSA an independent agency, we can do just that.

This bill also makes many other improvements to the Social Security system that are badly needed. Specifically, H.R. 4277 cleans up the regulations on Social Security benefits for drug addicts and alcoholics. As it works now, these people can receive Federal benefits with virtually no supervision on how the money is used, or encouragement to get treatment.

But H.R. 4277 changes that. Under this bill we can be sure that American tax dollars are not being used to feed alcohol and drug habits. Instead, H.R. 4277 encourages these folks to get help, to be in therapy and to start getting their lives back on track.

These are needed changes for SSA. They have been a long time in the making and thanks to the hard work of the members on the Social Security Subcommittee and the Ways and Means Committee, we have the chance today to make them.

I urge my colleagues to support these improvements for Social Security and vote yes on this conference report.



□ 1320

Mr. JACOBS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES. Mr. Speaker, I thank the gentleman from Indiana for yielding time to me.

Mr. Speaker, I rise in strong support of H.R. 4277, legislation to establish the Social Security Administration as an independent agency. I firmly believe that we must act now to ensure strong, stable, and independent leadership for this large Federal agency which is of crucial importance to virtually every American.

As the former chairman of the Select Committee on Aging and the current Chairman of the Older Americans Caucus, I have held a number of hearings that have detailed serious and costly problems with SSA's ability to provide appropriate assistance to older and disabled Americans. It is very clear from this testimony that we are experiencing a real crisis in service delivery in a number of different areas.

With administrative costs running around 1 percent, Social Security's staffing was put through a rapid downsizing process in the late 1980's, eliminating nearly one-fourth of its personnel. While steps were needed to streamline the agency, the evidence is overwhelmingly clear that we have gone too far. Many of these reductions were made strictly for political reasons, and they are costing the taxpayers millions of dollars in incorrect benefit payments and forcing many elderly and disabled beneficiaries to face undue hardships.

One of the most serious effects of this political jockeying can be seen in the unacceptable backlog in the Nation's disability program, which is barely treading water under a sea of unprocessed claims and paperwork. Despite completing more casework with fewer staff, the nationwide backlog of unprocessed disability cases is well over 800,000 cases, a level which is some 2½ times larger than it was just 3 years ago, and we can expect the disability caseload to be over 1 million cases by the end of the year. On the front end, the average disabled applicant must wait 5 to 6 months in many areas of the country in order to have his or her initial disability application reviewed. In many instances, people are dying before their casework is processed.

And on the back end, we are costing the taxpayers tens of millions of dollars because we do not have sufficient personnel to review the disability rolls to determine those who have improved enough medically that they should no longer be receiving disability benefits. Consequently, the taxpayers are spending tens of millions of dollars on persons who should no longer be receiving benefits.

In short, we have hundreds of thousands of people waiting inordinate

amounts of time to receive the disability insurance they have paid for at the same time that taxpayers are spending estimates of up to \$100 million per year on persons who should not be on disability. Is there any wonder why many of our constituents have the perception that their Government is not working?

In addition, a growing number of Social Security recipients in New Jersey and throughout the country are finding it increasingly difficult to get timely assistance. Busy signals at SSA's national 1-800 telephone service are running over 50 percent on some days, with many older persons telling me that they often just give up because of the busy signals.

Social Security recipients have a right to expect that when they call for questions or assistance, they will not be faced with inordinate delays, busy signals, or staff who are too busy to provide complete and accurate answers to their questions.

Many of these problems can be traced to the fact that Social Security's administrative operations are being driven by short-term political decisions.

There is also a real crisis in accountability and continuity within the agency. In a little over 15 years, there have been 10 Commissioners or Acting Commissioners of Social Security. We simply must have more long-term planning and accountability for this vital agency. I believe that establishing Social Security as an independent agency is the only way we can ensure some continuity within the agency and isolate it from short-term budgetary and partisan considerations.

I urge my colleagues to support this important legislation, and I commend the gentleman from Indiana [Mr. JACOBS] and the gentleman from Kentucky [Mr. BUNNING] for their leadership in bringing this bill to the floor, as well as the gentleman from Texas [Mr. PICKLE], who I saw earlier and is in the back of the Chamber, and so many others for making this day possible. It is the right decision, an important decision, I think, in the history of Social Security, and Mr. Speaker, ask my colleagues to support this particular initiative.

Mr. JACOBS. Mr. Speaker, I yield 1 minute to the gentleman from Washington [Mr. SWIFT].

Mr. SWIFT. Mr. Speaker, I want to thank the chairman of the subcommittee, the gentleman from Indiana [Mr. JACOBS], and I want to thank the Committee on Ways and Means for their perseverance.

There is a provision in this bill that is kind of a reverse unfunded mandate. We actually help local government with one of its important tasks.

Mr. Speaker, a few years ago Congress inadvertently caused local election officials some serious problems in recruiting and hiring election poll workers. Often these people are already

retired, and some Social Security requirements dissuaded many from volunteering for that work on election day. This bill fixes that in a way that has bipartisan support, and will significantly help local election officials get their job done on election day.

Mr. Speaker, I want to thank the chairman of the subcommittee the gentleman from Indiana [Mr. JACOBS], I want to thank the gentleman from Kentucky [Mr. BUNNING], and I want to thank all the Members of the Committee on Ways and Means for taking care of this problem for the poll workers of America.

Mr. Speaker, as chairman of the Subcommittee on Elections of the House Administration Committee, I have a special reason for being pleased with this legislation. In July 1991, three years ago—State and local election officials noted that because of an oversight in the 1990 OBRA, Omnibus Budget Reconciliation Act, they faced an enormous administrative and financial burden. In the OBRA, Congress extended social security coverage to State and local government officials without noticing that the \$100 exemption for election workers already in place would not be adequate to continue exempting those election workers that no one intended to cover. They did not need the coverage—most are already on retirement, and they did not work at the polls because they needed the money—they have been leaving in droves because of the administrative hassles they now face. And running elections has been more and more difficult to do for the state and local jurisdictions.

The solution was easy, but putting it into effect has not been. The House twice placed a provision to raise the exemption to a realistic figure—\$1,000—in the budget reconciliation bills only to have the Senate object in conference.

But now, in H.R. 4277, this conference bill to make the Social Security Administration an independent agency, we find there is a small provision to raise the exemption for poll workers from \$100 to \$1,000. The provision did not appear by accident. Chairman JACOBS and the committee have worked hard to get this in and to keep it in, and I thank them for it.

Mr. BUNNING. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Speaker, I rise in support of this all-important, long overdue legislation.

Mr. Speaker, as the representative of one of our Nation's largest populations of Social Security recipients and the chairman of the Congressional Social Security Caucus, I rise in strong support of this conference report on H.R. 4277, the Social Security Administrative Reform Act.

This legislation gives the Social Security Administration long overdue independence from

the Department of Health and Human Services and, more importantly, from political pressures that can be exerted on its Commissioner. Under H.R. 4277, the agency would be headed by a single administrator, appointed by the President, but who would serve under the oversight of a seven-member bipartisan board. This board, as the voice for the almost 40 million Americans who receive Social Security benefits, would ensure that the trust funds remain sound and untouched, that payments and cost-of-living adjustment continue to be paid in full and on time, and that the agency continues to provide timely and efficient service for retirees, workers, and employers.

As a member of the House Appropriations Subcommittee on Health and Human Services, which oversees the operations of and funding for the Social Security Administration, I am well aware of the chain of command which currently requires the Commissioner of Social Security to report to the Department of Health and Human Services. Likewise, the agency's budget requests must also be reviewed and approved by the Secretary.

The legislation before us today will enable the Social Security Administration to present directly to Congress and our committee its annual budget request. This is important in that it enables us to know what the new Administrator and Social Security Board believe are the agency's true funding requirements, not those imposed upon them by the Department of Health and Human Services.

This legislation also takes a number of important steps to further enhance public confidence in the Social Security Program. It cracks down on the payment of supplemental security income (SSI) and disability insurance (DI) benefits for alcoholics and drug abusers. It also requires the Social Security Administration to direct greater resources into preventing, detecting, and terminating fraudulent claims for SSI benefits.

Finally, the conference report retains an important House provision to give the Administrator greater powers to police the mailings and fundraising appeals of various organizations who attempt to mislead and frighten older Americans, many of whom live on small fixed incomes and depend almost solely on their monthly Social Security benefits for their financial well being.

We have become all too familiar with calls, letters, and post cards from our constituents asking if they have to contribute \$5 or \$10 to the variety of organizations that have sprung up to purportedly protect their Social Security benefits. As I tell each of these people who contact me, they do not have to contribute a single penny to any of these organizations to protect their benefits. It is the responsibility of Congress, and my job as their Representative, to ensure that the U.S. Government continues to live up to its commitment to ensure that the Social Security trust funds remain sound and that their benefits and cost of living adjustments are protected.

Mr. Speaker, this is the fourth time the House will consider this legislation and I am pleased to know that after allowing it to die three previous times, our colleagues in the other body have finally joined us in enacting this legislation. It is a reaffirmation that the So-

cial Security trust funds are an independent and self-supporting sector of our Federal Government and that oversight for these funds should be provided for by an independent agency and board.

Mr. BUNNING. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I want to join with so many of the other speakers who have had such complimentary remarks about the gentleman from Kentucky [Mr. BUNNING], the gentleman from Texas [Mr. PICKLE], and the gentleman from Indiana [Mr. JACOBS] for the fine work they have done on this legislation. I want to join in congratulating them.

Mr. Speaker, as the chairman of the House Republican Social Security Task Force, I rise in support of this conference report to reform our Social Security System.

Social Security is a trust between the American people and their Government. But as the members of the Social Security Task Force heard in a recent hearing, this trust has been eroded. Instead of being invested for the future, billions of Social Security dollars are being spent on programs other than Social Security.

Senior citizens are justifiably upset that political and budget battles have put their hard earned Social Security benefits in jeopardy. The Social Security System is also being abused. Drug addicts and alcoholics are spending their Supplemental Security Income and Social Security Disability Insurance benefits on more drugs and alcohol.

By passing this conference report today, the House will take a significant step to correct these problems. This action is long overdue. Today's bill will make Social Security an independent agency to protect Americans' retirement funds from political and budget battles. Every Social Security beneficiary, both current and future, must be assured that their benefits will be secure, and that the program will be administered fairly and soundly. By walling off Social Security as an independent agency, Congress will help to assure the American people that Social Security funds will be used for Social Security purposes only.

Today's bill also will tighten the rules for drug addicts and alcoholics who receive benefits. As I testified last February to Mr. Jacobs' subcommittee, the American people are outraged that our Social Security system has degenerated into a cash cow for addicts. Nearly 250,000 drug addicts and alcoholics received \$1.4 billion in Social Security Disability Insurance payments last year, with no strings attached. Addicts are cashing their checks and buying drugs the same day. And while I would prefer to see even tougher re-

strictions, today's bill will impose some tighter rules on SSI and SSDI recipients who are addicts. Benefits to addicts will be cut off after 3 years. Second, benefits must be paid to a responsible party who will ensure that the recipient is participating in a treatment program.

Mr. Speaker, senior citizens deserve to have an independent and depoliticized Social Security Administration to responsibly oversee their retirement benefits. And the American people are looking to Congress to stop the scandalous waste of Social Security funds by addicts. To combat both these problems, I urge my colleagues to support this conference report and help strengthen the Social Security system on behalf of all Americans.

Mr. BUNNING. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Speaker, I congratulate the sponsor and authors of this legislation. As vice chairman of the Older Americans Caucus, I know how very important it is to senior citizens to have a sense of confidence in their systems, particularly Social Security.

Mr. Speaker, as we all know, there are many groups that communicate to seniors, causing them to worry about the integrity of the Social Security System. We get letters reaffirming such worries. By making SSA an independent agency, this bill means that the integrity of the Social Security System can be maintained. Moreover, such action will prevent Social Security benefits from being further used as both political and budgeting pawns. Enactment ensures that those who pay into the system will receive their benefits.

I also commend provisions which strengthen safeguards against the use of disability and supplement income payments to support a drug or alcohol habit.

Truly, this bill restores not only the confidence of our present retirees, but the confidence of our future retirees—guaranteeing that our Social Security System can and will be preserved.

Mr. BUNNING. Mr. Speaker, may I ask how much time we have remaining?

The SPEAKER pro tempore (Mr. SERRANO). The gentleman from Kentucky [Mr. BUNNING] has 3 minutes remaining.

Mr. BUNNING. Mr. Speaker, I yield myself such time as I may consume to close debate for our side.

Mr. Speaker, there is one more important point I would like to make in closing. Ever since I have come to Congress I have received hundreds, perhaps thousands, of letters from older citizens who are frightened. They are frightened because unscrupulous lobbying organizations have been scaring them to death with unsolicited



mailings saying Congress is about to cut Social Security.

These letters usually read something like this: "Congress is about to act on Social Security cuts. We need your money to stop Congress now." That is just plain cruel, and it is inexcusable.

□ 1330

Older Americans are usually on fixed incomes and even \$5 or \$10 a month means the difference in food and medication each month. But these groups do not care. They will seize any opportunity to solicit contributions from senior citizens under the guise of lobbying Congress to stop any Social Security cuts. One of the jobs of the new bipartisan board will be to inform the public about Social Security. I am hoping the board will do such a good job of informing the public about Social Security that these unscrupulous organizations and their mailings will be put out of business.

Again, let me reiterate my strong support for this bill. It is time Social Security took its place as a non-partisan and independent agency.

Mr. Speaker, I yield back the balance of my time.

Mr. JACOBS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first I would be pleased to incorporate by reference every word my colleague, the gentleman from Kentucky, has just said. It is pretty reprehensible to rip anybody off, but it is particularly reprehensible to rip off people who may not be adequately informed. There is a work for it, and that is conning. That is wrong.

A moment ago, I omitted mentioning Phil Moseley, a staffer at the Committee on Ways and Means who has contributed greatly to this effort as well. While I am commending, I also commend our President who within a few days, I understand, will take the final step and sign this legislation into law. So break out the firecrackers. Let freedom reign. Independence is at hand for the Social Security System. It is a fine day for the United States.

Mr. JACOBS. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding, and I rise in strong support of this most important legislation. I compliment both sides in working together.

Mr. Speaker, I rise today to express my strong support for the conference report on H.R. 4277, the Social Security Administrative Reform Act of 1994. This important bill makes a number of changes that will help protect the Social Security system on which millions of Americans rely.

First, it makes Social Security an independent agency, which is a position I have long supported by cosponsoring and voting for bills to this effect. Passage of H.R. 4277 this year means that Social Security will become an independent agency no later than March 31,

1995. The new agency will have independent, bipartisan leadership. This will help it function more efficiently for the seniors who depend on Social Security benefits to make ends meet. And the Social Security trust fund will remain protected from political or general budgetary pressures.

Second, the bill attempts to restrict disability insurance and SSI disability payments to substance abusers. Many hardworking Americans were outraged to learn that such a program even existed, spending Social Security funds on drug addicts and alcoholics disabled by their addictions. In my view, the restrictions in H.R. 4277 do not go far enough to get addicts into treatment and back to work. But they are an admission that a problem exists in this area, which the next Congress must continue to address.

H.R. 4277 makes positive changes in 30 other areas, including raising the Social Security exclusion for election workers from \$100 to \$1,000 annually starting on January 1, 1995. Prohibitions on the misuse of Social Security and other Government symbols are strengthened. That responds to mass mailings and solicitations meant to deceive those receiving them into thinking they were sent by the Federal Government. This is a problem many seniors especially have alerted me to, and I am pleased that we are continuing to strengthen penalties against this shameless practice.

Mr. Speaker, I urge Members to support this important legislation, which will help protect the Social Security system in the years to come.

Mr. STARK. Mr. Speaker, I am happy that this conference report contains three provisions that will benefit a small number of motivated, hard-working people with disabilities. I would like to describe these provisions which I offered and which were accepted by the Ways and Means Committee.

An SSI recipient who has a disability has the opportunity to have extra resources or income in order to achieve a work goal under a plan for achieving self-support [PASS]. Currently, an individual with an approved PASS may be eligible for income and resource exclusions for 18 months, followed by two possible extensions of 18 and 12 months, respectively. The maximum of 4 years to achieve a PASS is given to persons pursuing a lengthy educational program. Often it is difficult for a person with a disability to achieve their goal within the given time period and the inflexibility with regard to the length of time allowed can produce anxiety and—in cases when the goal is not achieved in the given time—produces frustration and discouragement.

H.R. 4277 requires the Social Security Administration [SSA] to take into account the needs of the individual and the difficulty of achieving the goal in determining the time necessary for the completion of a PASS.

Presently, an SSI recipient other than a child living with a parent in military service cannot remain outside the United States for more than 30 consecutive days and retain eligibility for SSI. Also, the person must be back in the United States for 30 consecutive days before being considered to be eligible for SSI and only if the individual continues to meet all other eligibility criteria.

A provision in H.R. 4277 allows the SSA to exempt SSI recipients from the 30-day time

limit for a period not to exceed 1 year if the individual is fulfilling an educational requirement through a program which is not available in the United States and which will result in improved employment potential. Though this provision will help a very small number of people, it will allow these individuals to compete on a par with other students, disabled or non-disabled, if their educational requirements can only be fulfilled by study in a foreign country. The only way for many people with disabilities to become competitive in the labor force is to become highly educated. Young people, who have the intelligence and stamina to overcome the obstacles that disabilities present and acquire an advanced degree, can look forward to many years as productive members of our society.

Mr. Speaker, the third provision I would like to highlight extends the provisions in current SSI law for protection against loss of Medicaid eligibility because of subsequent cost-of-living increases in Social Security benefits, to those persons who are working and utilizing the section 1619(b) work incentives provisions.

There were a number of other provisions that I proposed and that the Ways and Means Committee accepted but were not accepted by the conferees. One of them would have deemed approved a PASS after 60 days if the SSA had not acted in that time. The Secretary could have subsequently disapproved the PASS prospectively and the individual would have had 6 months to spend down any money that had been saved to accomplish the work goal.

I am happy that in the conference report the conferees requested the General Accounting Office [GAO] to conduct a study of the PASS program and its procedures since they felt not enough information on the PASS program is available at this time. I look forward to the findings and recommendations that this study will give us.

I am pleased to support the conference report on H.R. 4277.

Ms. SNOWE. Mr. Speaker, I rise to express my support for the conference report on H.R. 4277.

I have been a cosponsor of legislation since the 99th Congress to make the Social Security Administration a separate, independent agency, and I am pleased to be able to cast my vote in favor of this legislation to make it happen. I support this effort because I believe that establishing the Social Security Administration, the ninth largest agency in the Federal Government, as a separate agency would further strengthen the program and ensure that it remains responsive to the millions of elderly and disabled Americans to whom it provides benefits and services.

The Social Security program represents a promise the Federal Government made to Americans. It is vitally important that this promise never be broken and that everyone knows that by paying into the system during their working years they will be assured of getting benefits for themselves and their family in their later years. Making the Social Security Administration an independent agency will help ensure that this promise remains unbroken.

I urge my colleagues to join me in support of this conference report.

Mr. MFUME. Mr. Speaker, I rise in support of the conference report on An Independent Social Security Administration (H.R. 4277), which makes the Social Security Administration an independent agency.

The Social Security Administration is responsible for administering the Old-Age and Survivors Insurance Program, Disability Insurance (DI) Program and the Supplemental Security Income (SSI) Program. The Social Security Administration is the ninth largest agency in the Government. The conference agreement establishes the Social Security Administration (SSA) as an independent agency, effective March 31, 1995.

Like the House bill the conference agreement includes several provisions which aim to improve the administration of Social Security DI and SSI programs. For example, the measure requires SSA to conduct continuing disability reviews for all SSI recipients in the same manner as they are now conducted for DI recipients. Further provisions in the agreement will give SSA additional authority to prevent benefit fraud and increase the penalties against deceptive mass mailings that mimic official Social Security correspondence.

In my district of Baltimore, the employees of SSA have asked that I support this measure.

However, Mr. Speaker, my support comes with some reservations. Specifically, I am concerned that Congress' desire to improve and advance the productivity and services of the Social Security Administration, while well-intentioned, may not be enough. In addition to passing this legislation, Congress must give the Social Security Administration the necessary resources to successfully make the smooth transition to independent status.

An example of the transition SSA finds itself going through was recently seen when the Social Security Administration announced that it would cut 1,000 management jobs through attrition. Shortly thereafter, SSA announced that it will need an additional 11,000 employees to handle its increased responsibility.

Another concern I have stems from the fact that the conference report brings SSA into a new realm of responsibility without giving it additional resources. An example of the new responsibilities is a provision in the agreement which restricts payment of disability insurance (DI) and supplemental security income (SSI) for persons with drug and alcohol addictions. Under current law, SSI recipients who have substance abuse problems are required to be paid through a designated second party. Unfortunately, there have been cases in which the alleged supplier of the drug to the abuser was the representative payee.

In a provision I support, this bill requires that where possible, organizations, rather than family or friends, be named as representative payees for Disability Insurance and Supplemental Security Income recipients, unless SSA determines that a family member is appropriate.

However, the agreement requires that the Social Security establish agencies in all 50 states that would find treatment programs for DI and SSI beneficiaries who are substance abusers, monitor their participation in the treatment program, and periodically conduct drug tests to determine if substance abuse problems are continuing. Under this provision, peo-

ple with substance abuse problems who are receiving disability insurance would be required to participate in treatment, if available, in order to receive benefits. Regardless of participation in the treatment program, DI and SSI benefits to substance abusers would be cut off after 3 years unless the individual qualifies for benefits for reason other than the substance abuse problem.

This will require the Social Security Agency to become involved in a whole new activity; drug testing for DI recipients. I have a number of problems with this, but that discussion is better left for another time.

Mr. Speaker, it is my hope that this conference report will pass to allow the Social Security Administration to become an independent agency. It is my further hope that we recognize the need to give this new agency adequate resources to improve and provide better service.

Mr. MACHTELEY. Mr. Speaker, I rise today in support of the conference report on H.R. 4277, legislation which I believe will take important steps to restore public confidence in the Social Security system.

Throughout my tenure in Congress, many seniors have contacted me to express their fear that the Social Security Trust Fund is being mishandled.

And a recent GAO report, which reported that an estimated 250,000 drug addicts and alcoholics collected approximately \$1.4 billion in Social Security disability insurance and supplemental security income funds last year, proves them right.

While the recipients of these payments are eligible for this Federal assistance, there is little or no evidence that these funds are being used for treatment. Instead, in many cases, these payments are being used to fuel the addictions.

Now my heart goes out to those families that have had to deal with a loved one who is addicted to drugs or alcohol, and I feel we should continue to offer our help in getting these people treatment.

But the purpose of the Social Security Act is straightforward—to provide for the economic security of our population as it grows older or becomes disabled. It is certainly not intended to provide drug addicts and alcoholics with the financial means to perpetuate their substance abuses.

Making the Social Security Administration an independent agency would greatly enhance public confidence in the management of these funds.

The integrity of the Social Security system is important to me and to many of my constituents, and I firmly believe that this legislation will help to protect the system now and in the future.

I urge my colleagues to support this conference report.

Mr. RIDGE. Mr. Speaker, I am pleased to rise in support of H.R. 4277, the Social Security Administration Reform Act of 1994.

This legislation makes the Social Security Administration an independent agency within the Federal Government, removing it from its current home within the Department of Health and Human Services [HHS]. H.R. 4277 also contains provisions which place limits and restrictions on Social Security benefits paid to individuals with substance abuse problems.

Mr. Speaker, a priority of mine in Congress has always been, and continues to be, to make sure that the Social Security Administration is able to function as efficiently and timely as possible. Many older citizens in my district and across Pennsylvania live on a fixed income and rely heavily on Social Security benefits.

Giving the agency its independence will free it from the political and bureaucratic problems with which it has been forced to operate for so many years. Such political and bureaucratic problems have jeopardized its ability to perform properly. Making it an independent agency will go a long way in rectifying that problem, and, for this reason, I am pleased to support this legislation.

Also, placing some restrictions and limits on Social Security benefits paid to substance abusers is a step in the right direction. While substance abuse is no longer viewed as merely a behavioral problem and is widely regarded as a medical condition, I believe this legislation accomplishes two very worthy objectives.

First, treatment exists for substance abuse. It is compassionate therefore to encourage those suffering from substance abuse to seek help. Second, it is appropriate, and fair to other Social Security beneficiaries, to make sure that benefits being paid to substance abusers are not being used to sustain their addiction. For these two reasons, I am pleased that an effort was taken to ensure that the provisions contained in H.R. 4277 were done in both a fair and compassionate manner.

Mr. Speaker, making the Social Security program a well-working, long-lasting entity has been one of my highest priorities as a public servant. Keeping Social Security taxes down, and Social Security benefits up is paramount to that effort. H.R. 4277 goes a long way toward that end and I am pleased to rise in support of it. Passage of this legislation is long overdue.

Mrs. CLAYTON. Mr. Speaker, today the House of Representatives passed the conference report on H.R. 4277, the Social Security Administration Reform Act of 1994. I supported H.R. 4277 when it passed the House in May, and I support the conference report today.

This legislation will remove the Social Security Administration from the Department of Health and Human Services and establish it as an independent agency. Currently the Social Security Administration is the largest agency within the Department of Health and Human Services and the ninth largest agency within the Federal Government.

This agency will have direct administrative responsibility for the Social Security and Supplemental Security Income programs. The President will appoint a Commissioner to head this new agency.

Independence for the Social Security Administration is not a new idea—this issue has been addressed since back in the 1970's. However, the House and Senate could not come to an agreement. Finally during this 103d Congress both the House and the Senate have agreed to this motion, with President Clinton's endorsement.

This legislation also promotes fiscal restrictions in such areas as disability payments to



alcoholics and drug addicts who refuse participation in a treatment program.

There is much dialog about Social Security during this Congress. As a member of the Entitlement Commission, I am well aware of the important part Social Security plays—we all know the system was not designed as a retirement benefit, yet millions of Americans have worked and paid into Social Security for just that reason, to be ensured benefits when they retired. Social Security is the largest entitlement program with near universal participation. It has been a successful program—yet it is imperative that some adjustments are made if the program is to continue into future generations.

I believe that this program has proven to be long-term—Social Security will be 60 years old in 1995—it is time to treat this program with the respect it so deserves. I am pleased that this legislative body has chosen to elevate the Social Security Administration to agency status.

Mr. JACOBS. Mr. Speaker, I yield back the balance of my time.

#### GENERAL LEAVE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report on H.R. 4277.

The SPEAKER pro tempore (Mr. SERRANO). Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. JACOBS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The sergeant at arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 431, nays 0, not voting 3, as follows:

[Roll No. 392]

YEAS—431

Abercrombie	Bartlett	Boucher
Ackerman	Barton	Brewster
Allard	Bateman	Brooks
Andrews (ME)	Becerra	Browder
Andrews (NJ)	Beilenson	Brown (CA)
Andrews (TX)	Bentley	Brown (OH)
Applegate	Bereuter	Bryant
Archer	Berman	Bunning
Armey	Bevill	Burton
Bacchus (FL)	Bilbray	Buyer
Bacchus (AL)	Bilirakis	Byrne
Baesler	Bishop	Callahan
Baker (CA)	Blackwell	Calvert
Baker (LA)	Bliley	Camp
Ballenger	Blute	Canady
Barca	Boehlert	Cantwell
Barcia	Boehner	Cardin
Barlow	Bonilla	Carr
Barrett (NE)	Bonior	Castle
Barrett (WI)	Borski	Chapman

Clay	Hamburg	McCurdy
Clayton	Hamilton	McDade
Clement	Hancock	McDermott
Clinger	Hansen	McHale
Clyburn	Harman	McHugh
Coble	Hastert	McInnis
Coleman	Hastings	McKeon
Collins (GA)	Hayes	McKinney
Collins (IL)	Hefley	McMillan
Collins (MI)	Hefner	McNulty
Combust	Herger	Meehan
Condit	Hilliard	Meek
Conyers	Hinchey	Menendez
Cooper	Hoagland	Meyers
Coppersmith	Hobson	Mfume
Costello	Hochbrueckner	Mica
Cox	Hoekstra	Michel
Coyne	Hoke	Miller (CA)
Cramer	Holden	Miller (FL)
Crane	Horn	Mineta
Crapo	Houghton	Minge
Cunningham	Hoyer	Mink
Danner	Huffington	Moakley
Darden	Hughes	Mollinari
de la Garza	Hunter	Mollohan
Deal	Hutchinson	Montgomery
DeFazio	Hutto	Moorhead
DeLauro	Hyde	Moran
DeLay	Inglis	Morella
Dellums	Inhofe	Murphy
Derrick	Inslee	Murtha
Deutsch	Istook	Myers
Diaz-Balart	Jacobs	Nadler
Dickey	Jefferson	Neal (MA)
Dicks	Johnson (CT)	Neal (NC)
Dingell	Johnson (GA)	Nussle
Dixon	Johnson (SD)	Oberstar
Dooley	Johnson, E. B.	Obey
Doolittle	Johnson, Sam	Oliver
Dorman	Johnston	Ortiz
Dreier	Kanjorski	Orton
Duncan	Kaptur	Owens
Dunn	Kasich	Oxley
Durbin	Kennedy	Packard
Edwards (CA)	Kennelly	Pallone
Edwards (TX)	Kildee	Farker
Ehlers	Kim	Pastor
Emerson	King	Paxon
Engel	Kingston	Payne (NJ)
English	Kleczka	Payne (VA)
Eshoo	Klein	Pelosi
Evans	Klink	Penny
Everett	Klug	Peterson (FL)
Ewing	Knollenberg	Peterson (MN)
Farr	Kolbe	Petri
Fawell	Kopetski	Pickett
Fazio	Kreidler	Pickle
Fields (LA)	Kyl	Pombo
Fields (TX)	LaFalce	Pomeroy
Filner	Lambert	Porter
Fingerhut	Lancaster	Portman
Fish	Lantos	Poshard
Flake	LaRocco	Price (NC)
Foglietta	Laughlin	Pryce (OH)
Ford (MI)	Lazio	Quillen
Fowler	Leach	Quinn
Frank (MA)	Lehman	Rahall
Franks (CT)	Levin	Ramstad
Franks (NJ)	Levy	Rangel
Frost	Lewis (CA)	Ravenel
Furse	Lewis (FL)	Reed
Galleghy	Lewis (GA)	Regula
Gallo	Lewis (KY)	Reynolds
Gejdenson	Lightfoot	Richardson
Gekas	Linder	Ridge
Gephardt	Lipinski	Roberts
Geren	Livingston	Roemer
Gibbons	Lloyd	Rogers
Gillchrest	Long	Rohrabacher
Gillmor	Lowe	Ros-Lehtinen
Gilman	Lucas	Rose
Gingrich	Machtley	Rostenkowski
Glickman	Maloney	Roth
Gonzalez	Mann	Roukema
Goodlatte	Manton	Rowland
Goodling	Manzullo	Roybal-Allard
Gordon	Margolies	Royce
Goss	Mezvinsky	Rush
Grams	Markey	Sabo
Grandy	Martinez	Sanders
Green	Matsui	Sangmeister
Greenwood	Mazzoli	Santorum
Gunderson	McCandless	Sarapalius
Gutierrez	McCloskey	Sawyer
Hall (OH)	McCollum	Saxton
Hall (TX)	McCrery	Schaefer

Schenk	Stearns	Unsold
Schiff	Stenholm	Upton
Schroeder	Stokes	Valentine
Schumer	Strickland	Velazquez
Scott	Studds	Vento
Sensenbrenner	Stump	Visclosky
Serrano	Stupak	Volkmer
Sharp	Sundquist	Vucanovich
Shaw	Swett	Walker
Shays	Swift	Walsh
Shepherd	Synar	Waters
Shuster	Talent	Watt
Sisisky	Tanner	Waxman
Skaggs	Tauzin	Weldon
Skeen	Taylor (MS)	Wheat
Skeltton	Taylor (NC)	Whitten
Slattery	Tejeda	Williams
Slaughter	Thomas (CA)	Wilson
Smith (IA)	Thomas (WY)	Wise
Smith (MI)	Thompson	Wolf
Smith (NJ)	Thornton	Woolsey
Smith (OR)	Thurman	Wyden
Smith (TX)	Torkildsen	Wynn
Snowe	Torres	Yates
Solomon	Torricelli	Young (AK)
Spence	Towns	Young (FL)
Spratt	Trafigant	Zeliff
Stark	Tucker	Zimmer

#### NOT VOTING—3

Brown (FL)	Ford (TN)	Washington
------------	-----------	------------

□ 1352

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Ms. BROWN of Florida. Mr. Speaker, I was not present for an earlier vote, rollcall No. 392, due to unforeseen circumstances. Had I been present, I would have voted "yea".

#### PROVIDING FOR CONSIDERATION OF H.R. 4907, FULL BUDGET DISCLOSURE ACT OF 1994

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 512 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 512

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4907) to reform the concept of baseline budgeting. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour, with thirty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Rules and thirty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Rules now printed in the bill.

The committee amendment in the nature of a substitute shall be considered as read. No other amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived. If more than one of the amendments printed in the report is adopted, only the last to be adopted shall be considered as finally adopted and reported to the House. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendment as may have been finally adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. SERRANO). The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida [Mr. Goss], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 512 provides for the consideration of H.R. 4907, the Full Budget Disclosure Act of 1994. The resolution waives all points of order against consideration of the bill and provides for 1 hour of general debate, with 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Rules, and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations.

After general debate, it will be in order under the rule to consider as an original bill for the purpose of amendment the amendment in the nature of a substitute recommended by the Committee on Rules now printed in the bill. The substitute will be considered as read.

No amendments are in order except those printed in House Report 103-689, to be considered in the following order under a king-of-the-hill procedure: First, the amendment in the nature of a substitute to be offered by Representative PENNY, or Representative STENHOLM, or Representative KASICH, or a designee; and second, the amendment in the nature of a substitute to be offered by Representative SPRATT or a designee. Should both amendments be adopted, only the second amendment adopted will be reported to the House.

Each substitute is considered as read and debatable for 30 minutes, equally divided and controlled by the proponent and an opponent. The amendments are not subject to further amendment and all points of order against the amendments are waived.

Finally, the resolution provides for one motion to recommit, with or without instructions.

Mr. Speaker, the Full Budget Disclosure Act of 1994 is designed to improve our budget process precisely as its short title suggests: By requiring full budget disclosure. The official title of H.R. 4907 is "A Bill to Reform the Concept of Baseline Budgeting." I can assure the Members the bill will do just that.

To the extent they have the time and inclination to follow it at all, most Americans find the Federal budget process difficult to comprehend at best. Part of the problem is our confusing terminology; we just don't use the same budgetary terms and concepts that ordinary people do.

We have fiscal years rather than calendar years. We have discretionary spending and mandatory spending. We have appropriations bills and we have authorization bills. We have on-budget and off-budget programs. We have the deficit and we have the national debt. We have countless other terms that we throw around here. But I dare say probably the most difficult budget concept for ordinary Americans to understand is our notion of a budget baseline.

Under the law, when the President submits his budget to the Congress, and the Congress prepares its congressional budget, they start from something called a current policy baseline. That baseline assumes for the budget year and subsequent years a continuation of the current spending level for programs and services, adjusted for inflation and certain other technical factors.

Mr. Speaker, there is absolutely nothing wrong with using a current policy baseline. After all, every American appreciates how inflation erodes the purchasing power of his dollars over time. All Americans know the same number of dollars won't buy today what they bought 10 years ago, or even last year.

This is why the law provides cost-of-living adjustments to Social Security benefits. If we did not give cost-of-living adjustments, social security benefits would over time lose much of their value, and recipients would lose much of their income, even though the number of dollars in their checks wouldn't actually drop. Those checks would buy less and less in the future as inflation eroded their purchasing power.

Well, inflation erodes the purchasing power of Federal tax revenues too. Any given number of Federal tax dollars does not buy the same quantity of goods and services today that it bought

10 years ago, or even last year. As a result, it takes more dollars to repair a mile of Federal highway, buy uniforms for soldiers and sailors, and to maintain national parks. Government must adjust to the same inflation that households do, and the current policy baseline helps policymakers to understand inflation's effect on Government.

But use of the current policy baseline has one drawback: It makes more difficult comparisons of how spending changes from year to year in actual terms. It is the problem H.R. 4907 is designed to solve.

Under the bill, the President and the Congress would have to include an additional baseline, a current funding baseline, in their budget documents. The current funding baseline would start from last year's spending level and would not be adjusted for inflation.

This additional baseline would allow people to see and understand how various budget proposals would change spending from year to year in constant dollars, without taking inflation into account.

By comparing proposed spending to the two baselines, for example, policymakers and the public could both understand that a budget proposal for a given program might very well represent an increase over last year in actual dollars, but not enough to keep pace with inflation—or effectively a cut in the program.

Or people could see that a proposal might represent an increase in actual dollars over the amount needed to keep pace with inflation, or effectively an expansion of the program.

In addition, H.R. 4907 will require the Congressional Budget Office to include its annual report to the budget committees a comparison to current spending levels, and an analysis of the causes of increased spending in mandatory programs due to cost-of-living adjustments, changes in beneficiaries, higher health-care costs, and other factors. This provision will help us better understand the reasons for growth in those programs, commonly called entitlements.

I am convinced H.R. 4907 will improve the budget process, and that it will help both policymakers and ordinary Americans to understand that process better. I urge all Members to support the bill and the rule, and I reserve the balance of my time.

□ 1400

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, one of the very real problems with our current process is that Congress can get away with accounting tricks that would actually shock most people who are responsible for family budgets or even running a small business.

That may not be exciting news, but it is important news because accountability is an awful big problem around



here. So I think this is an important subject.

The confusion that stems from what we call baseline budgeting is very serious. I suspect most people do not understand what a charade it really is. No one knows when a cut is really a cut or whether it is just a slowdown in the ever-growing spending we do around here but it is still more spending than we did last year.

It is very, very easy for Congress to mask the big spending increases by claiming that we are just maintaining the baseline. When Americans hear that word, that phrase "maintaining the baseline," watch out, watch your pocketbooks, because what that means is that is code for spending more of your tax dollars.

So I am glad that the House is going to have a chance today to address this issue of what baseline really means and how we are going to be more accountable if we pass this very, very small improvement that has been suggested.

Unfortunately, as is the case for the so-called Emergency Spending Control Act, which we might actually be taking up next on the floor if we stick to the present schedule, which is presently posted in the Cloakroom if it has not already been rescheduled yet by now; if we stick with that, we will find the same thing in the Emergency Spending Control.

The rule we are proceeding under is a lot less than ideal reform. In fact, it is sort of a token. I do not like the rule,

but I am not going to call for a "no" vote on the rule, but because the rule does allow for consideration of, I think, a very much improved substitute, the Penny-Kasich-Stenholm substitute. But I have got to say the same concerns that are about both this rule on budget language and on the spending language, once again we are waiving all points of order without an explanation of what possible violations the bill contains. That is a bad idea.

Then we are stacking the deck against the substitute amendment by following the dreaded king-of-the-hill procedure. Again it is one where the original bill will be considered as the final amendment in order to secure preferential treatment. Putting that in English for those who do not follow the inside-the-beltway rule lingo, we are stacking the deck to defeat an amendment which would make this bill a lot better.

Finally, I think we all recognize that this is yet another piece in the A-to-Z buy-off package.

It is a mixed blessing to have this much-needed debate under these circumstances. I think this is one of several that were designed to let some steam off the pressure for the A-to-Z package, which I understand is still a few votes short of the number necessary to bring it to the floor.

I wish I could say that even if we approve this, that we would accomplish something that A-to-Z could accomplish; there is no comparison. A-to-Z

would do ever so much more in dealing with spending cuts.

Mr. Speaker, I look forward to the coming debate because I believe that we will be able to demonstrate both the need to change the current baseline standard and why the Penny-Kasich-Stenholm substitute is far stronger and a more responsible way to proceed if we are really going to get serious about addressing cutting spending around here.

#### OPEN VERSUS RESTRICTIVE RULES 95TH-103D CONG.

Congress (years)	Total rules granted <sup>1</sup>	Open rules		Restrictive rules	
		Number	Percent <sup>2</sup>	Number	Percent <sup>3</sup>
95th (1977-78)	211	179	85	32	15
96th (1979-80)	214	161	75	53	25
97th (1981-82)	120	90	75	30	25
98th (1983-84)	155	105	68	50	32
99th (1985-86)	115	65	57	50	43
100th (1987-88)	123	66	54	57	46
101st (1989-90)	104	47	45	57	55
102d (1991-92)	109	37	34	72	66
103d (1993-94)	91	25	27	66	73

<sup>1</sup> Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

<sup>2</sup> Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

<sup>3</sup> Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources: "Rules Committee Calendars & Surveys of Activities," 95th-102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through Aug. 10, 1994.

#### OPEN VERSUS RESTRICTIVE RULES: 103D CONG.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D-5; R-25)	3 (D-0; R-3)	PQ. 246-176. A: 259-164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D-1; R-18)	1 (D-0; R-1)	PQ. 248-171. A: 249-170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 520: Unemployment compensation	7 (D-2; R-5)	0 (D-0; R-0)	PQ. 243-172. A: 237-178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D-1; R-8)	3 (D-0; R-3)	PQ. 248-166. A: 249-163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Reauthorization Act of 1993	13 (D-4; R-9)	8 (D-3; R-5)	PQ. 247-170. A: 248-170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D-8; R-29)	1 (not submitted) (D-1; R-0)	A: 240-185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D-2; R-12)	4 (1-D not submitted) (D-2; R-2)	PQ. 250-172. A: 251-172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D-8; R-12)	9 (D-4; R-5)	PQ. 252-164. A: 247-169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D-1; R-5)	0 (D-0; R-0)	PQ. 244-168. A: 242-170. (Apr. 1, 1993).
H. Res. 149, Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D-1; R-7)	3 (D-1; R-2)	A: 212-208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	O	H.R. 820: Nale Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308-0. (May 24, 1993).
H. Res. 173, May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D-1; R-5)	6 (D-1; R-5)	A: Voice Vote. (May 20, 1993).
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251-174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D-19; R-32)	8 (D-7; R-1)	PQ. 252-178. A: 236-194. (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D-6; R-44)	6 (D-3; R-3)	PQ. 240-177. A: 226-185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D-4; R-3)	2 (D-1; R-1)	A: 244-176. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department. H.R. 2404: Foreign aid	53 (D-20; R-33)	27 (D-12; R-15)	A: 294-129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D-11; R-22)	5 (D-1; R-4)	A: 263-160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401-0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261-164. (July 21, 1993).
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D-8; R-6)	2 (D-2; R-0)	PQ. 245-178. F: 205-216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D-8; R-7)	2 (D-2; R-0)	A: 224-205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D-109; R-40)	NA	A: 246-172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National Defense authorization	NA	NA	PQ. 237-169. A: 234-169. (Sept. 13, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	12 (D-3; R-9)	1 (D-1; R-0)	A: 213-191-1. (Sept. 14, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization	91 (D-67; R-24)	NA	A: 241-182. (Sept. 28, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238-188. (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D-0; R-7)	3 (D-0; R-3)	PQ. 240-185. A: 225-195. (Oct. 14, 1993).
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D-1; R-2)	2 (D-1; R-1)	A: 239-150. (Oct. 15, 1993).
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	N/A	N/A	A: Voice Vote. (Oct. 7, 1993).
H. Res. 273, Oct. 12, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D-1; R-2)	2 (D-1; R-1)	PQ. 235-187. F: 149-254. (Oct. 14, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D-7; R-7; I-1)	10 (D-7; R-3)	A: Voice Vote. (Oct. 13, 1993).
H. Res. 282, Oct. 20, 1993	C	H.J. Res. 281: Continuing appropriations through Oct. 28, 1993	N/A	N/A	A: Voice Vote. (Oct. 21, 1993).
H. Res. 286, Oct. 27, 1993	O	H.R. 334: Lumber Recognition Act	N/A	N/A	A: Voice Vote. (Oct. 28, 1993).
H. Res. 287, Oct. 27, 1993	C	H.J. Res. 283: Continuing appropriations resolution	1 (D-0; R-0)	0	A: 252-170. (Oct. 28, 1993).
H. Res. 289, Oct. 28, 1993	O	H.R. 2151: Maritime Security Act of 1993	N/A	N/A	A: Voice Vote. (Nov. 3, 1993).
H. Res. 293, Nov. 4, 1993	MC	H. Con. Res. 170: Troop withdrawal Somalia	N/A	N/A	A: 390-8. (Nov. 8, 1993).
H. Res. 299, Nov. 8, 1993	MO	H.R. 299: Employee Retirement Act-1993	2 (D-1; R-1)	N/A	A: Voice Vote. (Nov. 9, 1993).
H. Res. 302, Nov. 9, 1993	MC	H.R. 1025: Brady handgun bill	17 (D-6; R-11)	4 (D-1; R-3)	A: 238-182. (Nov. 10, 1993).
H. Res. 303, Nov. 9, 1993	O	H.R. 322: Mineral exploration	N/A	N/A	A: Voice Vote. (Nov. 16, 1993).

## OPEN VERSUS RESTRICTIVE RULES: 103D CONG.—Continued

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 304, Nov. 9, 1993	C	H.J. Res. 288: Further CR, FY 1994	N/A	N/A	F: 191-227. (Feb. 2, 1994).
H. Res. 312, Nov. 17, 1993	MC	H.R. 3425: EPA Cabinet Status	27 (D-8; R-19)	9 (D-1; R-8)	A: 233-192. (Nov. 18, 1993).
H. Res. 313, Nov. 17, 1993	MC	H.R. 796: Freedom Access to Clinics	15 (D-9; R-6)	4 (D-1; R-3)	A: 238-179. (Nov. 19, 1993).
H. Res. 314, Nov. 17, 1993	MC	H.R. 3351: Alt Methods Young Offenders	21 (D-7; R-14)	6 (D-3; R-3)	A: 252-172. (Nov. 20, 1993).
H. Res. 316, Nov. 19, 1993	C	H.R. 51: D.C. statehood bill	1 (D-1; R-0)	N/A	A: 220-207. (Nov. 21, 1993).
H. Res. 319, Nov. 20, 1993	MC	H.R. 3: Campaign Finance Reform	35 (D-6; R-29)	1 (D-0; R-1)	A: 247-183. (Nov. 22, 1993).
H. Res. 320, Nov. 20, 1993	MC	H.R. 3400: Reinvesting Government	34 (D-15; R-19)	3 (D-3; R-0)	PQ: 244-168. A: 342-65. (Feb. 3, 1994).
H. Res. 336, Feb. 2, 1994	MC	H.R. 3759: Emergency Supplemental Appropriations	14 (D-8; R-5; 1-1)	5 (D-3; R-2)	PQ: 243-174. A: 242-174. (Feb. 9, 1994).
H. Res. 352, Feb. 8, 1994	MC	H.R. 811: Independent Counsel Act	27 (D-8; R-19)	10 (D-4; R-6)	A: VV (Feb. 10, 1994).
H. Res. 357, Feb. 9, 1994	MC	H.R. 3345: Federal Workforce Restructuring	3 (D-2; R-1)	2 (D-2; R-0)	A: VV (Feb. 24, 1994).
H. Res. 356, Feb. 23, 1994	MO	H.R. 6: Improving America's Schools	NA	NA	A: 245-171. (Mar. 10, 1994).
H. Res. 384, Mar. 9, 1994	MC	H. Con. Res. 218: Budget Resolution FY 1995-99	14 (D-5; R-9)	5 (D-3; R-2)	A: 244-176. (Apr. 13, 1994).
H. Res. 401, Apr. 12, 1994	MO	H.R. 4092: Violent Crime Control	180 (D-98; R-82)	68 (D-47; R-21)	A: Voice Vote (Apr. 28, 1994).
H. Res. 410, Apr. 21, 1994	MO	H.R. 3221: Iraqi Claims Act	N/A	N/A	A: Voice Vote (May 3, 1994).
H. Res. 414, Apr. 28, 1994	O	H.R. 3254: NSF Auth. Act	N/A	N/A	A: Voice Vote (May 5, 1994).
H. Res. 416, May 4, 1994	C	H.R. 4296: Assault Weapons Ban Act	7 (D-5; R-2)	0 (D-0; R-0)	A: Voice Vote (May 10, 1994).
H. Res. 420, May 5, 1994	O	H.R. 2442: EDA Reauthorization	N/A	N/A	PQ: 245-172. A: 248-165. (May 17, 1994).
H. Res. 422, May 11, 1994	MO	H.R. 518: California Desert Protection	N/A	N/A	A: Voice Vote (May 12, 1994).
H. Res. 423, May 11, 1994	O	H.R. 2473: Montana Wilderness Act	N/A	N/A	A: VV (May 19, 1994).
H. Res. 428, May 17, 1994	MO	H.R. 2108: Black Lung Benefits Act	4 (D-1; R-3)	N/A	A: 369-49. (May 18, 1994).
H. Res. 429, May 17, 1994	MO	H.R. 4301: Defense Auth., FY 1995	173 (D-115; R-58)	100 (D-80; R-20)	A: Voice Vote (May 23, 1994).
H. Res. 431, May 20, 1994	MO	H.R. 4301: Defense Auth., FY 1995	N/A	N/A	A: Voice Vote (May 25, 1994).
H. Res. 440, May 24, 1994	MC	H.R. 4385: Natl Hiway System Designation	16 (D-10; R-6)	5 (D-5; R-0)	PQ: 233-191. A: 244-181. (May 25, 1994).
H. Res. 443, May 25, 1994	MC	H.R. 4426: For. Ops. Approps, FY 1995	39 (D-11; R-28)	8 (D-3; R-5)	A: 249-177. (May 26, 1994).
H. Res. 444, May 25, 1994	MC	H.R. 4454: Leg Branch Approp, FY 1995	43 (D-10; R-33)	12 (D-8; R-4)	A: 236-177. (June 9, 1994).
H. Res. 447, June 8, 1994	O	H.R. 4539: Treasury/Postal Approps 1995	N/A	N/A	PQ: 240-185. A: Voice Vote (July 14, 1994).
H. Res. 467, June 28, 1994	MC	H.R. 4600: Expedited Rescissions Act	N/A	N/A	A: Voice Vote (July 19, 1994).
H. Res. 468, June 28, 1994	MO	H.R. 4299: Intelligence Auth., FY 1995	N/A	N/A	A: Voice Vote (July 14, 1994).
H. Res. 474, July 12, 1994	MO	H.R. 3937: Export Admin. Act of 1994	N/A	N/A	A: Voice Vote (July 20, 1994).
H. Res. 475, July 12, 1994	O	H.R. 1188: Anti. Redlining in Ins	N/A	N/A	A: Voice Vote (July 21, 1994).
H. Res. 482, July 20, 1994	O	H.R. 3838: Housing & Comm. Dev. Act	N/A	N/A	A: Voice Vote (July 26, 1994).
H. Res. 483, July 20, 1994	O	H.R. 3870: Environ. Tech. Act of 1994	N/A	N/A	PQ: 245-180. A: Voice Vote (July 21, 1994).
H. Res. 484, July 20, 1994	MC	H.R. 4604: Budget Control Act of 1994	3 (D-2; R-1)	3 (D-2; R-1)	A: Voice Vote (July 28, 1994).
H. Res. 491, July 27, 1994	O	H.R. 2448: Radon Disclosure Act	N/A	N/A	A: Voice Vote (July 28, 1994).
H. Res. 492, July 27, 1994	O	S. 208: NPS Concession Policy	N/A	N/A	PQ: 215-169. A: 221-161. (July 29, 1994).
H. Res. 494, July 28, 1994	MC	H.R. 4801: SBA Reauth & Amdmts. Act	10 (D-5; R-5)	6 (D-4; R-2)	A: 336-77. (Aug. 2, 1994).
H. Res. 500, Aug. 1, 1994	MO	H.R. 4003: Maritime Admin. Reauth.	N/A	N/A	A: Voice Vote (Aug. 3, 1994).
H. Res. 501, Aug. 1, 1994	O	S. 1357: Little Traverse Bay Bands	N/A	N/A	A: Voice Vote (Aug. 3, 1994).
H. Res. 502, Aug. 1, 1994	O	H.R. 1066: Pokagon Band of Potawatomi	N/A	N/A	A: Voice Vote (Aug. 5, 1994).
H. Res. 507, Aug. 4, 1994	O	H.R. 4217: Federal Crop Insurance	N/A	N/A	A: Voice Vote (Aug. 9, 1994).
H. Res. 509, Aug. 5, 1994	MC	H.J. Res. 373/H.R. 4590: MFN China Policy	N/A	N/A	
H. Res. 513, Aug. 9, 1994	MC	H.R. 4906: Emergency Spending Control Act	N/A	N/A	
H. Res. 512, Aug. 9, 1994	MC	H.R. 4907: Full Budget Disclosure Act	N/A	N/A	
H. Res. 514, Aug. 9, 1994	MC	H.R. 4822: Cong. Accountability	33 (D-16; R-17)	16 (D-10; R-6)	PQ: 247-185. A: Voice Vote (Aug. 10, 1994).
H. Res. 515, Aug. 10, 1994	O	H.R. 4908: Hydrogen Etc. Research Act	N/A	N/A	
H. Res. 516, Aug. 10, 1994	MO	H.R. 3433: Presidio Management	12 (D-2; R-10)	N/A	

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

Mr. Speaker, I reserve the balance of my time.

□ 1410

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Glens Falls, NY [Mr. SOLOMON], the ranking member of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, let me thank the gentleman from Sanibel, FL, for yielding me this time. And let me apologize in advance for the soft spoken gentleman from South Carolina and for the very distinguished gentleman from Sanibel, FL and for myself because we have to speak in a new language, not English. I will speak in a new language, not English, which is called Stengelese.

My colleagues all remember Casey Stengel. Well, if one is going to explain the budget process of this Congress, he has to speak in Stengelese, because nobody is going to understand it. And now my colleagues know the rest of this story, why the budget process in this House does not work.

Let me just say I have some concerns about this modified open rule. First, it contains a king-of-the-hill amendment process that says the last substitute adopted is the one reported back to the House, instead of having a normal amendment process that allows for the strongest amendment to prevail. Under the normal amendment process, Mr. Speaker, the Penny-Kasich-Stenholm

substitute, which I support, would be offered to the Spratt amendment, perfecting it. If the amendment prevails, it prevails, and that is the way it should be. If the amendment loses, then Spratt wins, and that is the way that it should be.

What is wrong with that? That makes common sense.

Instead we have a Spratt bill, a Spratt amendment in the nature of a substitute, and then a Penny substitute, and then a Spratt substitute, all in that order. Does anybody out there listening understand what I just said? I do not think so. Maybe in the Democrat leadership's version of penny ante poker three Spratts beat a penny every time, but in the old fashioned version of democracy that I believe in, the amendment getting the most votes ought to win on the floor of this House.

Believe me, if the day ever comes when one of these Democrat king-of-the-hill rules results in a weaker amendment being reported to the House, there will be a bipartisan uproar like my colleagues have never heard before. The king will be seen to have no clothes, and naked power will be exposed in its rawest form. Mark my word on that; it is going to happen.

The second reason for my concern is that we are dealing with these minor budget bills individually, instead of debating a comprehensive congressional reform bill, which is what we should be spending our time on this week. Having

said that, Mr. Speaker, let me say I support the Penny-Kasich-Stenholm substitute over the three identical Spratts. The Penny substitute contains more meaningful ways to deal with the problems and perceptions that stem from our current baseline budgeting than the Spratt substitutes do.

And discussion of baseline budgeting must seem very inside-baseball to most of our constituents.

But, if we told them this is really about "truth-in-budgeting" they will begin to understand the importance of this debate.

The American people know that we play a lot of games around here with our budgets, and they get thoroughly confused when we claim, on the one hand, that we are reducing spending, and yet they see spending continue to go up and up and up.

"How can this be?" they ask.

And we respond, "The baseline made me do it; it's in the law."

We measure our spending actions against what we expect something to cost in the future and not against what we are now spending out of our pocket. So, if we change a law to restrain the future growth rate of spending, we can say we are saving money, but that is not the same as reducing spending.

Mr. Speaker, when my constituents think about their household budget and this is really what this debate is all about, just listen to this when my



constituents think about their household budgets, they measure their level of spending this year against how much they spent last year. That is the logical way to do it. If they were planning to spend 25 percent more this year than last, and then they trim that budget to spend just 15 percent more, that's still a 15-percent increase in spending.

When Congress cuts its spending, its anticipated spending, from a 25-percent increase down to a 15-percent increase, it claims it has reduced spending by 40 percent, when actually we have increased spending by 15 percent.

That is the whole crux of the baseline budgeting problem.

The Spratt substitutes before us today would try to deal with this problem by creating two baselines: one based on current policy levels, which is what we use now; and one based on current funding levels for discretionary spending, but with projected funding levels for mandatory spending. Boy, that sure sounds like "Stengelese." In other words, even though this new baseline is called the current funding baseline, it still uses current policy projections for mandatory spending.

So, unfortunately, this bill creates a new credibility problem for us with a baseline that is not entirely what it says it is.

Mr. Speaker, Yogi Berra, who also played for Casey Stengel, might have said, "If you try to run two baselines at the same time, you're going to split your pants."

Mr. Speaker, I fear the American people will split their sides laughing when they see us trying to run two baselines simultaneously and then claim we are clarifying rather than confusing the game further. It should be both a pants-splitting and side-splitting exercise that will not cover us in glory.

Now I prefer the Penny-Kasich-Stenholm substitute, which sticks to a single baseline but modifies it to eliminate the inflation adjuster for discretionary spending—as does the Spratt substitute in one of its baselines.

Inflating discretionary spending is not really current policy since annual appropriations are not permanent law.

At the same time, neither the Spratt nor Penny substitutes alter the definition of current services for mandatory programs in any of the baselines contained in those amendments. I think that is appropriate because those are commitments made in permanent law to our Social Security recipients, to our veterans programs, to government retirees, and others.

We will still have that current policy or current services measure for those mandatory programs under both the Spratt and Penny approaches.

Now let me just say this:

The Penny-Kasich-Spratt substitute tells our Budget Committees to begin their negotiations on the annual bud-

get from the current levels of spending in all programs—mandatory and discretionary, so that we can better see and understand what is being increased or decreased and why it is being done. In that way, we in turn can better pinpoint where our real problems are and what we should do about them.

Mr. Speaker, the ultimate solution to our public perception and credibility problem when it comes to budgeting cannot be solved by a law. The people do not read our budget documents.

It is really a matter for the President, the Congress, and yes, the media, to level with the American people about our final budget actions, and not play games with all these baselines to claim we have reduced spending when we have only reduced its growth.

Let me say that one more time: To claim we have reduced spending when actually all we have done is reduce growth does not cut a penny out of this doggone budget.

In the final analysis, Mr. Speaker, truth-in-budgeting can only be achieved by telling the truth in our ongoing political conversation with the American people. That may be asking too much, but to do otherwise will only further erode our institutional respect and credibility.

Mr. SPRATT. Mr. Speaker, would the gentleman yield for a question?

Mr. SOLOMON. I yield to the gentleman from South Carolina [Mr. SPRATT] who I have great respect for.

Mr. SPRATT. The feeling is mutual.

Just one question. The gentleman from South Carolina [Mr. DERRICK] is saying we are ready to vote, but one question: You described our baseline as providing for inflation due to COLA's implicit in the mandatory spending programs and entitlement programs—

Mr. SOLOMON. With the two baselines, right.

Mr. SPRATT. Is the gentleman aware that the Stenholm-Penny-Kasich baseline also provides a COLA for entitlement programs?

Mr. SOLOMON. Yes, as a matter of fact, I called attention to that as well, and they both do, in the gentleman's Spratt amendment and the Penny baseline, yes.

Mr. SPRATT. I ask, "Don't you think that confuses people, that there is a lack of consistency here, whereas it would back our inflation on the one hand, include it for some programs that include it for others? Is that a baseline since it has one definition for one type of program?"

Mr. SOLOMON. I really tried not to talk in Stengelese and point out that four of yours have that, two of theirs, and we really need to be consistent.

Mr. SPRATT. I thank the gentleman.

□ 1420

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Speaker, I rise in opposition to the rule for H.R. 4907, and in support of the Stenholm-Penny-Kasich amendment. This amendment is necessary to bring about any real reform. Without the amendment, we are simply taking the next step in the Democratic leadership's effort to prevent any real reform in the institution or its processes.

We have seen this in every popular reform that has been overwhelmingly supported by the American people. The leadership has put off consideration as long as possible, when public opinion finally forces them to debate and restructure the rules and do their best to prevent the true reform.

Look back at the debate on the balanced budget amendment, the debate on line item veto, today's debate on eliminating the confusing and misleading practice of baseline budgeting.

Baseline budgeting is at the heart of what is wrong with how we do business here. The practice feeds the spending habit of an activist Congress and administration, while allowing those folks to claim to have made cuts in spending, when in fact it is an increase. The American people know that despite all the rhetoric coming from the administration that we cut spending, all we have really done is reduced the increases. Spending has not gone down. Spending has not been cut. In fact, spending continues to go up at a steady pace, and the deficit is projected to follow that route as well.

Stenholm-Penny-Kasich will bring a little common sense to the budget process. No longer will we be allowed to call spending increased cuts. Slowing down the projected increases has never been a cut in my book. With this change, the budget process will indicate that.

Mr. Speaker, the Government has not been honest with how the taxpayers' dollars are spent. We have a chance to make a small step forward, restoring some trust today. I encourage any colleagues to vote yes on Stenholm-Penny-Kasich and against the Spratt status quo amendment.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 8 minutes to the distinguished gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, today the House will consider H.R. 4907, the Full Budget Disclosure Act of 1994. This act is six pages long, full of dense language, whatever you wish to call it in budget parlance. Let me just cut through the thick language, the bramble bush, the budget jargon, and get to the basics and say in a nutshell what this bill does.

Essentially this bill simply does this: It establishes two basic baselines for the budget format. First, it establishes a current funding baseline. This baseline, the current funding baseline,

would be equal to the funding outlays that a function or program was receiving in that current year, the most recent year at hand. It is equivalent to what CBO would call a freeze, staying in place.

In addition, this bill would require that the budget be formatted to show in addition to the current funding baseline, a current policy baseline equal to what we now most commonly call a current services baseline.

A current services baseline, as we all know, is what it takes to keep a program serving the same eligible beneficiaries, providing them the same level of benefits adjusted for inflation in the next budget year. So we would have two baselines: a current funding baseline, and a current policy baseline.

This bill requires the President, the Congressional Budget Office, and both budget committees to give Congress, us, and the public, both the current funding baseline and the current policy baseline for budget functions and for specific programs.

The bill also requires that each of these offices compare the proposed funding for the next fiscal year with both baselines, both current funding and current policy.

As I think we have seen from the previous debate, there are a lot of similarities between this bill, H.R. 4907, and the Stenholm-Penny-Kasich substitute. In fact, I used the substitute as a basic when I drafted this bill, H.R. 4907. Both require the President, CBO, and the budget committees to provide current year funding for programs and both require comparisons between current funding and proposed funding. There is no difference there.

In the end, both have the same result. Both will make it more difficult to call a funding increase a spending cut if it is below your current services, because you will have readily available, formatted, displayed in budget presentations, what is the current funding level in the current year, and anyone who claims that he is cutting spending can be readily contradicted by referencing the budget documents that will be submitted by the committee to the Congress, and by the CBO as well.

Our bill, however, as I have said, sets up two baselines. Penny-Kasich would prevent this kind of double talk by having one baseline, which would replace the current services baseline.

I think it is important to emphasize what we are talking about is purely presentation. We are not talking about procedure. We are not talking about process. We are not talking about requiring different votes or different processes for increasing or decreasing spending. We are simply talking about how you present a proposed budgetary increase or proposed budgetary decrease, and what lines will be available, what baselines, what frames of ref-

erence will be available to determine whether or not it is an increase or a decrease.

My bill differs from the substitute in this fundamental respect: The substitute requires only information about current funding. It can even be read to say that Congress should not be given, not provided with, current policy baselines. Section 102(f) of the substitute states that OMB, in making assessments, shall not include an adjustment for inflation for programs and activities subject to discretionary appropriations. The substitute also provides that the starting points for any deliberations in the budget of each House on the concurrent resolution on the budget for the next fiscal year shall be the estimated level of outlays for the current year and each function and subfunction. Any increases or decreases in the congressional budget for the next fiscal year shall be from such estimated levels.

I am not quite sure what that means, a starting point for any deliberation. I think, frankly, that Congress and the public should be able to find out readily, as I have said, how much actual spending is going to increase in a new budget over and above current levels of spending. My bill, 4907, provides for that, clearly and distinctly.

But I also think Congress and the public should know what it will cost to keep the budget running in place, what it will cost to keep programs like Social Security, Medicare, Head Start and defense funded at current policy levels, doing next year no more or less than what it is doing this year. My bill also provides for that. The substitute does not.

So I think my bill is a distinct improvement on the current process, but it does not take away from us something that everybody finds useful. That is why we have it.

My bill provides a baseline which we in the Congress, members of the budget committees, the Committee on Appropriations, the Office of Management and Budget, the Congressional Budget Office, all have found extremely useful to have for analytical purposes. That is a current services baseline. It does not allow one to have just this baseline and to ignore current funding, because it requires that both be provided. But it does continue to provide us with this very useful reference for determining whether or not we are keeping programs apace with inflation and with the growth in beneficiary populations.

If we were to add, for example, \$1 billion to Social Security in a given year, and in that given year inflation was 5 percent and beneficiary population growth was one million people, if we went back home and told our constituents that we had increased Social Security, I think they would look askance at us, because our Social Security benefits would probably be reduced if we

did no more than \$1 billion, given the growth in beneficiary population and given inflation.

We need the current policy baseline to tell us exactly what is required in order to keep existing programs on parity with existing levels of service. It is a very useful baseline, and I do not think regardless of what we do, if we were to pass the substitute today and send it to the other body and pass it there and have it enacted into law, the current services baseline will not go away. It will still be sought by the Committee on the Budget when we have budgets brought to the floor, whether they are resolutions or appropriations bills, these projections will still be there, and not just as to entitlements. We use current services all the time in the Committee on Armed Services because it shows what it takes to keep our defense on parity with the existing levels of readiness and force structure.

So I think it is something that we cannot uninvent, something that is not going away, because it is useful to everybody involved in this process, and given the fact that it is so useful, I think we ought to make it part of the process, but keep it honest, keep it in perspective by also requiring the current funding baseline to be provided as well.

I thank the gentleman for yielding.

□ 1430

Mr. GOSS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California [Mr. Cox].

Mr. COX. Mr. Speaker, I thank the gentleman for yielding time to me.

I rise in support of the Penny-Kasich-Stenholm bipartisan amendment to get rid of baseline budgeting.

I extend my congratulations to the gentleman from South Carolina [Mr. SPRATT] as well with whom it is my privilege to work as the ranking member on the Subcommittee on Commerce, Consumer, and Monetary Affairs. I am glad we are all here arguing about the best way to get rid of baseline budgeting.

I happen to believe that really getting rid of it is the answer rather than tolerating it and keeping it around.

As a member of the Committee on the Budget, I introduced a resolution abolishing it successfully. It became part of the budget we adopted here in the Congress most recently. It was adopted over in the Senate. So by a nonbinding resolution we have already accomplished what our colleagues, the gentleman from Minnesota [Mr. PENNY], the gentleman from Ohio [Mr. KASICH], and the gentleman from Texas [Mr. STENHOLM], want to accomplish here today, but we have to put it into law and make sure that we can enforce it.

We all know what a scam baseline budgeting is. The real question is,



Where did it come from? The answer is that the solons of the spending status quo want us to believe that we have cut spending to the bone. They want to keep talking about cutting spending when in fact it is going up.

The truth is, according to the President's own figures, that spending this year is rising dramatically. And every year for the foreseeable future, spending will rise dramatically. It will grow from more than \$1.4 trillion this year to more than \$1.5 trillion next year. That is an increase of \$100 billion, more than \$1.6 trillion in 1996 and \$1.8 trillion in 1998. Collectively, altogether, that comprises the largest deficit spending increase in any 5-year period in American history.

So how is it that we say we are cutting spending and yet spending is going up and up and up?

The answer is, we are using this smoke and mirrors method called baseline budgeting by which we cut not real spending but from an inflated baseline.

Let me give an example of how baseline budgeting distorts the language. We talk about spending cuts as if they are real but they are not. Let us say that last Labor Day you had 5 hot dogs and you enjoyed the 5 hot dogs so much that this year you decide you are going to have 10 hot dogs. But your friends tell you, you would be a glutton. You need to cut back and your doctor advises you, you have to stop your intake of fat and cholesterol. So you settle for seven.

Under baseline budgeting, as you scarf down that 7th hot dog with the mustard and relish dripping from your chin, you can congratulate yourself for having cut your hot dog consumption by 30 percent because you are only having 7 instead of the 10 you wanted. Some of us here in the Congress would be quick to point out that in fact the seven hot dogs you are eating this year represent a 40-percent increase over the five you had last year.

If you work here in Congress, you are used to the status quo, you would say, "I am sorry, you just do not understand real fat and calorie reduction."

That is the way baseline budgeting works. It does not reflect reality. It is in fact like Hollywood. It is total fiction. It reminds me of a trip to Universal Studios. You might say that the phony budget numbers we get from baseline budgeting are what Arnold Schwarzenegger would call true lies.

Baseline budgeting, to carry the analogy uncomfortably further, is a clear and present danger to our current system of representative government. Like the movies, this deceptive accounting practice has blown away our constituents' confidence in representative government. We need a simple and straightforward accounting system that even Forrest Gump could understand. If we do not adopt baseline budgeting, our noses, like Pinocchio, will

continue to grow and grow, along with Government spending. And Bill Clinton will keep talking about cutting Government spending while it is increasing. I guess that would make him the Lion King.

Mr. DERRICK. Mr. Speaker, I yield 6 minutes to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Speaker, the rule before us allows for debate on H.R. 4907, the Full Budget Disclosure Act, and for two amendments thereto, one amendment, the Penny-Kasich-Stenholm amendment which would substitute for the language of the bill a hard freeze, as the baseline for Federal budgeting.

The second amendment would be the separate amendment, which essentially would restore the language or reaffirm the language in the base bill.

Under a king-of-the-hill process, it will be possible for Members to vote for our amendment and the Spratt amendment, but we strongly urge Members not to play that game. We have stronger language in our substitute. It would be deceptive to then vote as well for the Spratt amendment because, under the king-of-the-hill procedure, even though we may pass our amendment by a larger margin, a slim majority supporting the Spratt amendment would prevail at the end of the debate.

Mr. GOSS. Mr. Speaker, will the gentleman yield?

Mr. PENNY. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman for yielding to me.

I want the gentleman to know that we feel the same way. We tried to get the king of the hill changed to what we call the queen of the hill so that large a margin would prevail. Unfortunately, we were unable to succeed in the Committee on Rules.

Mr. PENNY. Mr. Speaker, I do appreciate the interest of a number of Members on the Committee on Rules in trying to protect our right to a fair fight on this issue.

As is often the case around here, if there is a real threat posed by any amendment, then substitutes are made in order or a king-of-the-hill process is put in order in order to defeat the best efforts to propose alternative policy decisions. That is clearly what we are faced with today.

Nonetheless, a yes vote and then a no vote will preserve the strongest language and we urge Members to vote in that fashion.

Mr. KASICH. Mr. Speaker, will the gentleman yield?

Mr. PENNY. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Speaker, one more time I think it is absolutely critical that we emphasize that we want to vote "yes" on the Penny amendment and an absolute vote "no" on the

Spratt amendment. Because under this king of the hill, we would get rid of the baselines and have only one common-sense budgeting factor. If we adopted that and then adopted Spratt, we would be defeating ourselves.

So this king of the hill is something that Members do not understand very well, but clearly we do not want to vote for all alternatives. We want to vote for one, and that is the Penny alternative.

Mr. PENNY. Mr. Speaker, I thank the gentleman for those remarks.

The process we operate under today, this king-of-the-hill process, is another Washington-based process. It may make sense to people inside the Capitol dome, but it is nonsense to most of the American public. It is appropriate that we have this nonsensical rule with a king-of-the-hill vote, because we are dealing with a nonsensical budget process, a budget process that calls an increase a cut, a process that allows for an inflation adjustment in every part of the budget and only spending above the inflation adjustment is actually called an increase.

We try to correct that with some commonsense budget reforms. It could be best described as truth in budgeting. It could best be described as truth in budgeting, because we present to the American public with our proposal a budget process that would measure every program by last year's spending level.

In other words, a dime of increase in any program would be called an increase. A family does not plan their next year's budget based on an anticipated increase. Most families are not certain until the boss calls them in at the end of the year whether they are going to see a pay raise in their paychecks. Yet at the Federal level, we promise all of the programs and all of the beneficiaries that they will get an automatic increase from year to year.

□ 2440

It is absurd when you do not even know that the economy will grow, or that taxpayers will get pay raises, or that more revenue will come into the government, that the government promises all of the recipients, all of the programs, an increase year to year.

We correct that by going to a hard freeze baseline on most programs in the budget, Mr. Speaker. The gentleman from South Carolina called this purely presentation. This is more than that.

By changing our budget baseline, we change the terms of the debate. We remove the spending bias. We remove the assumption that every program must automatically be increased, and we start from a hard freeze baseline, forcing us to admit that increases are increases, forcing us to justify inflation adjustments if we feel they are necessary. This will shift the burden of proof.

Current funding, current policy, current services, entitlements, mandatory discretionary, nondiscretionary, we have so many terms that govern our budget debate on Capitol Hill it is no wonder the American public cannot understand what Congress is doing. Most of the confusion is deliberate. We do not want them to understand, because it allows us to spend more and more, while pretending that we are not increasing spending levels.

Mr. Speaker, we have to end the chicanery. We have to end the charade. We have to call a freeze a freeze. We have to call a cut a cut. That is the fundamental premise of the Penny-Kasich-Stenholm amendment. When we get down to debate on the amendments, I urge a yes vote on the Penny-Kasich-Stenholm amendment, a no vote on the Spratt amendment, and then a yes vote on final passage of H.R. 4907.

Mr. DERRICK. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina [Mr. SPRATT] for the purposes of making an inquiry.

Mr. SPRATT. Mr. Speaker, may I ask the gentleman from Minnesota [Mr. PENNY] a question?

The gentleman continues to refer to his baseline as a hard freeze, and yet in the "Dear Colleague" he sent out on this particular substitute, he says:

When the baseline must be used for 5-year projections, the automatic increase for discretionary programs is limited, but the baseline for entitlements continues to include COLAs.

So there is a baseline that is a freeze for discretionary programs, but not a freeze for entitlement programs.

Mr. PENNY. Will the gentleman yield, Mr. Speaker?

Mr. SPRATT. I am happy to yield to the gentleman from Minnesota.

Mr. PENNY. Mr. Speaker, the gentleman is correct. The gentleman would also acknowledge that on the entitlement question, the language in his bill does not differ from the language in our bill.

The point is that the cost-of-living increase in the entitlement area is mandated by law. We acknowledge that. But unlike the gentleman, we force a full acknowledgement of that fact in the budget baseline each year, so that even though there is an increase built in, we explain why that increase has occurred, and then it is open to question as to whether we want to honor that obligation.

Mr. SPRATT. Mr. Speaker, basically there is no difference between our current funding baseline and the single baseline the gentleman would require, is there?

Mr. PENNY. On the entitlement side, that would be correct, but on the discretionary or the domestic and defense side of the budget, and that deals with \$500 billion, we do apply a hard freeze.

Mr. SPRATT. So do we.

Mr. Speaker, let me continue this COLA question. I think we are clarify-

ing something that Members need to understand.

Mr. Speaker, our baseline would freeze discretionary spending. Our baseline adopts what CBO calls a hard freeze. It does accommodate COLAs for entitlement programs in the out years, but otherwise it freezes spending in place, so basically our current funding baseline is the same as the single baseline that the gentleman would enshrine in his bill?

Mr. PENNY. If the gentleman will yield further, I would concede that his current funding baseline is the same as our hard freeze baseline. He also allows for a second current services baseline, which would continue to confuse the debate.

In other words, in the gentleman's plan, he has two baselines, one that allows the inflation adjustments and the other increases to be assumed, and that would continue the obfuscation and the confusion that dominates the budget debate today. We want to get down to one simple baseline, and that would be a hard freeze.

Mr. SPRATT. If I could reclaim my time, so I have a bit left; however, our current funding baseline is the same baseline that the gentleman would provide, so we are going to provide that baseline in the budget presentations. The gentleman has no dispute with that?

Mr. PENNY. Mr. Speaker, I have no dispute with that. What I have a dispute with is the fact that the gentleman adds to the confusion by not having one simple baseline, but instead two baselines.

Mr. SPRATT. We think it adds to clarification, rather than confusion. Everybody can tell the difference between the two baselines.

I thank the gentleman from South Carolina for yielding the additional time to me.

Mr. GOSS. Mr. Speaker, I yield 1½ minutes to the distinguished champion budgeteer, the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Speaker, I want to compliment the gentleman from South Carolina for trying to develop a line of confusion in this discussion. Let us be clear about what we do.

Mr. Speaker, in the area of entitlements, we do not really have a baseline in entitlements, but it is the law, as the gentleman from Minnesota [Mr. PENNY] has said, it is the law that forces those to go up. I would remind the gentleman from South Carolina [Mr. SPRATT] that just earlier this year we offered several proposals to eliminate the automatic adjustments, which was opposed by the Majority of this House, including the gentleman from South Carolina [Mr. SPRATT].

Now, let us forget entitlements, because those increases go up by law. We have made an effort already this year to try to stop that automatically. We

were defeated in that. Mr. Speaker, the only place where we really have a baseline is in the area of discretionary. What we are arguing is, we ought to base next year's budgeting based on the year before. We do not need to have more than one baseline.

I remember when Tina Turner sang the song "We Don't Need Another Hero." We do not need another baseline, we only need one. That is based on the spending of the previous year.

We should not be confused about what we are trying to do here. If we want a budget next year based on the previous year, we vote for Penny. If we want to do budgeting next year based on last year's plus another baseline, and get everything all confused, we vote for Spratt.

Mr. Speaker, I would argue to the House that if we want to do this like they do on the seat of the tractors in east Texas, as the gentleman from Texas [Mr. STENHOLM] is fond of saying, a commonsense budgeting approach, or in Westerville, or up in Minnesota, where the gentleman from Minnesota [Mr. PENNY] is from, we budget on the basis of the previous year, not the previous year plus inflation.

Vote for the Penny amendment. Let us end the confusion.

Mr. DERRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma [Mr. MCCURDY].

Mr. MCCURDY. Mr. Speaker, I rise in support of the Penny-Kasich-Stenholm amendment, and urge a yes vote on that.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the Commonwealth of Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, is it my understanding, as the gentleman has related to me, that when we finish this rule and we go to the debate on this rule, that we will in fact then be proceeding on the crime rule?

Mr. GOSS. Mr. Speaker, I am not in a position to answer that with authority.

Mr. WALKER. Mr. Speaker, may I ask if the gentleman from South Carolina [Mr. DERRICK] could answer? Is it the intention of the House, after this, to move directly to the crime rule?

Mr. DERRICK. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from South Carolina.

Mr. DERRICK. That is correct, Mr. Speaker.

Mr. WALKER. Mr. Speaker, immediately upon finishing the vote on this particular rule, we will then move to the crime rule, is that correct?

Mr. DERRICK. We were hoping maybe not to have a recorded vote on this, so we could move right on into it. That is correct.



Mr. WALKER. I think there are some of us who are concerned about the king-of-the-hill nature of this rule, and would prefer to have an opportunity to vote "no" on that, because we think that that is a bad kind of thing to have the House appear to have adopted unanimously, but I just wanted to clarify where we were in the schedule.

At the completion of that particular vote, Mr. Speaker, then we can assume that the next order of business will be to take up the crime rule?

Mr. DERRICK. If the gentleman will continue to yield, that is our intention at this time.

Mr. WALKER. I thank the gentleman.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Minnesota [Mr. RAMSTAD].

Mr. RAMSTAD. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise today in strong support of the Penny-Stenholm-Kasich amendment on baseline budgeting.

As sponsor of H.R. 323, a bill to eliminate the use of the so-called current services budget baseline, I have been trying to focus attention on the issue of fraudulent baseline budgeting for years.

I am gratified that my bill has 124 cosponsors from both sides of the aisle.

We are all too familiar with how the process works. Every year, Congress builds an automatic increase into all Government spending programs. Whenever a spending increase does not reach the baseline level, it is called a cut.

Congress uses such accounting deception to claim that it is cutting a specific program while actually increasing spending on it.

This process builds a bias into the Federal budget for more spending and higher deficits. Real deficit reduction requires this budget reform.

Mr. Speaker, the Penny-Stenholm-Kasich amendment will let us finally get rid of the current services budget hoax and restore credibility to the Federal budget process.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Wisconsin [Mr. OBEY].

□ 1450

Mr. OBEY. Mr. Speaker, I think Members do a disservice to this body when they suggest that the Spratt proposal would bring "confusion to the process."

What the gentleman from South Carolina [Mr. SPRATT] is proposing is very simple. It ought to be simple enough to understand even for a Member of Congress. What the gentleman from South Carolina [Mr. SPRATT] is suggesting is very simply this: He suggests that instead of presenting the budget from one baseline, we present it from two, so that we have two perspectives on the same issue. That is all the

Spratt amendment does. This has nothing whatsoever to do with how much is spent. It has nothing whatsoever to do with how much is appropriated. It has nothing whatsoever to do with how much is made available in entitlements. It simply is a question of how we present the information.

What Penny-Stenholm-Kasich would say is that we present it only one way, in terms of nominal dollars. What Spratt says is that we present it two ways: One from the perspective of the nominal dollar base and second, from an inflationary adjusted base.

Mr. Speaker, it seems to me that when we are analyzing Social Security, for instance, that if we have an increase in the eligible population and if there is a large increase in inflation, it just might be helpful if we understand that the real effect of that is on the recipients. That is all the gentleman from South Carolina [Mr. SPRATT] does. He suggests that instead of Congress being given one piece of information, instead of the public only being given one perspective, they be given two. I ask Members what on Earth is wrong with that?

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from the greater San Dimas, CA, area [Mr. DREIER], an esteemed and important member of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend, the gentleman from Sanibel, for yielding me this time.

Mr. Speaker, I rise to strongly oppose this rule if for no other reason than the king-of-the-hill procedure.

Mr. Speaker, let me go through that process again.

I understand that my friends, the gentleman from Minnesota [Mr. PENNY] and the gentleman from Ohio [Mr. KASICH] talked about the king-of-the-hill procedure. It is absolutely nothing more than an attempt to obfuscate the issue of accountability. The way the king-of-the-hill procedure works is that we have one amendment that comes before us, and that is going to be the Penny amendment, and it could pass with 420 votes. Following that, we could have the Spratt amendment which, based on the description that the gentleman from Minnesota [Mr. PENNY] and the gentleman from Ohio [Mr. KASICH] gave is obviously a weaker position, yet with 218 votes, that vote would be the one that would actually prevail, avoiding the issue of accountability, meaning that Members could vote, in fact, for the Penny amendment and they could do it knowing that if 218 votes are gleaned on the Spratt amendment at the end that, in fact, the Spratt amendment would carry.

Mr. Speaker, this king-of-the-hill procedure is an absolutely ludicrous procedure. I offer regularly an amendment up in the Committee on Rules

which simply says that if we are going to have this king-of-the-hill procedure, what we should state is that the amendment which receives the highest number of votes here on the floor is the one that prevails. That is the only responsible way to deal with this. Unfortunately this rule is one which denies that right.

Mr. Speaker, for that reason I urge a "no" vote and hope that my colleagues will join with me in opposing the rule so that we can bring back a fair and balanced approach which will give equal treatment to those who are proposing amendments.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to say, we have had a lot of discussion on the rule. I think that the goal of what we are trying to accomplish here is clarification. I think that anybody who has listened to this particular debate would understand just how confusing this particular subject is. If it is this confusing inside the Beltway, I can imagine how confusing it is out there in America for those who are trying to understand why we keep raising the annual debt and the deficit and we cannot seem to live within our means and are always having new tax proposals being presented to us by the majority.

I think that anything that comes close to clarification on this is very important. I happen to agree that the Stenholm-Penny-Kasich amendment gets closest to what we need, to what I will call full budget disclosure. What I think we have got now is full budget confusion. I hope that that amendment is going to pass.

Mr. Speaker, I feel very much the same way as my colleague, the gentleman from California [Mr. DREIER] who has just spoken, that we have stacked the deck so that it will not pass. That would be a shame, I think. One more time we will have taken a better solution, one that will actually lead to clarity in this. It does not solve the whole problem by any means but it adds some accountability, so it is a little harder to disguise what is really going on, it is a little harder to keep from the taxpayers what we are really doing here, and I think that openness and that sunshine would be very welcome. Certainly, it is the rules we use in Florida, and it is the rules I think we should use here.

Mr. Speaker, I agree that the king-of-the-hill problem is a very serious one here and the blanket waiver protecting who-knows-what points of order is a serious question. I will not call for a vote, but I understand there are others on our side of the aisle and perhaps on the majority side of the aisle who are so upset about the king-of-the-hill and the blanket waivers that they may call for a vote.

Mr. Speaker, I yield back the balance of my time.

Mr. DERRICK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on this resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SERRANO). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 255, nays 178, not voting 1, as follows:

[Roll No. 393]

YEAS—255

Abercrombie  
Ackerman  
Andrews (ME)  
Andrews (NJ)  
Andrews (TX)  
Applegate  
Baechus (FL)  
Baesler  
Barca  
Barcia  
Barlow  
Barrett (WI)  
Becerra  
Bellenson  
Berman  
Bevill  
Bilbray  
Bishop  
Blackwell  
Blute  
Bonior  
Borski  
Boucher  
Brewster  
Brooks  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Byrne  
Cantwell  
Cardin  
Carr  
Chapman  
Clay  
Clayton  
Clement  
Clinger  
Clyburn  
Coleman  
Collins (IL)  
Collins (MI)  
Condit  
Conyers  
Coppersmith  
Costello  
Coyne  
Cramer  
Danner  
Darden  
de la Garza  
Deal  
DeFazio  
DeLauro  
Dellums  
Derrick  
Deutsch  
Dicks  
Dingell  
Dixon  
Dooley  
Durbin

Edwards (CA)  
Edwards (TX)  
Engel  
English  
Eshoo  
Evans  
Farr  
Fazio  
Fields (LA)  
Fliner  
Fingerhut  
Flake  
Foglietta  
Ford (MI)  
Ford (TN)  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt  
Geron  
Gibbons  
Glickman  
Gonzalez  
Gordon  
Green  
Gutierrez  
Hall (OH)  
Hall (TX)  
Hamburg  
Hamilton  
Harmann  
Hastings  
Hayes  
Hefner  
Hilliard  
Hinchey  
Hoagland  
Hochbrueckner  
Holden  
Hoyer  
Hughes  
Hutto  
Inslee  
Jacobs  
Jefferson  
Johnson (GA)  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kaptur  
Kennedy  
Kennelly  
Kildee  
Kleczka  
Klein  
Klink  
Kopetski  
Kreidler  
LaFalce  
Lambert  
Lancaster

Lantos  
LaRocco  
Laughlin  
Lehman  
Levin  
Lewis (GA)  
Lipinski  
Lloyd  
Long  
Lowey  
Maloney  
Mann  
Manton  
Margolies  
Mezvinsky  
Marky  
Martinez  
Matsui  
Mazzoli  
McCloskey  
McCurdy  
McDermott  
McHale  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Mfume  
Miller (CA)  
Mineta  
Minge  
Mink  
Moakley  
Mollohan  
Montgomery  
Moran  
Murphy  
Murtha  
Nadler  
Neal (MA)  
Neal (NC)  
Oberstar  
Obey  
Oliver  
Ortiz  
Orton  
Owens  
Pallone  
Parker  
Pastor  
Payne (NJ)  
Payne (VA)  
Pelosi  
Penny  
Peterson (FL)  
Peterson (MN)  
Pickett  
Pickle  
Pomeroy  
Poshard  
Price (NC)  
Rangel

Reed  
Reynolds  
Richardson  
Roemer  
Rose  
Rostenkowski  
Rowland  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Sangmeister  
Sarpalius  
Sawyer  
Schenk  
Schroeder  
Schumer  
Scott  
Serrano  
Sharp  
Shepherd  
Sisisky  
Skaggs

Skelton  
Slattery  
Slaughter  
Smith (IA)  
Spratt  
Stark  
Stenholm  
Stokes  
Strickland  
Studds  
Stupak  
Swett  
Swift  
Synar  
Tanner  
Tauzin  
Taylor (MS)  
Tejeda  
Thompson  
Thornton  
Thurman  
Torres  
Tortorelli

NAYS—178

Allard  
Archer  
Army  
Bachus (AL)  
Baker (CA)  
Baker (LA)  
Ballenger  
Barrett (NE)  
Bartlett  
Barton  
Bateman  
Bentley  
Bereuter  
Billakis  
Billey  
Boehert  
Boehner  
Bonilla  
Bunning  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Castle  
Coble  
Collins (GA)  
Combest  
Cooper  
Cox  
Crane  
Crapo  
Cunningham  
DeLay  
Diaz-Balart  
Dickey  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Ehlers  
Emerson  
Everett  
Ewing  
Fawell  
Fields (TX)  
Fish  
Fowler  
Franks (CT)  
Franks (NJ)  
Gallegly  
Gallo  
Gekas  
Gilchrist  
Gillmor  
Gilmann  
Gingrich  
Goodlatte

Goodling  
Goss  
Grams  
Grandy  
Greenwood  
Gunderson  
Hancock  
Hansen  
Hastert  
Hefley  
Herger  
Hobson  
Hoeckstra  
Hoke  
Horn  
Houghton  
Huffington  
Hunter  
Hutchinson  
Hyde  
Ingalls  
Inhofe  
Istook  
Johnson (CT)  
Johnson, Sam  
Kasich  
Kim  
Kling  
Klingston  
Klug  
Knollenberg  
Kolbe  
Kyl  
Lazio  
Leach  
Levy  
Lewis (CA)  
Lewis (FL)  
Lewis (KY)  
Lightfoot  
Linder  
Livingston  
Lucas  
Machtley  
Manzullo  
McCandless  
McCollum  
McCrery  
McDade  
McHugh  
McInnis  
McKeon  
McMillan  
Meyers  
Mica  
Michel  
Miller (FL)  
Molinar  
Moorhead  
Morella

Towns  
Traficant  
Tucker  
Unsoeld  
Valentine  
Velazquez  
Vento  
Viscolsky  
Volkmmer  
Waters  
Watt  
 Waxman  
Wheat  
Whitten  
Williams  
Wilson  
Wise  
Woolsey  
Wyden  
Wynn  
Yates

Myers  
Nussle  
Oxley  
Packard  
Paxon  
Petri  
Pombo  
Porter  
Portman  
Pryce (OH)  
Quillen  
Quinn  
Rahall  
Ramstad  
Ravenel  
Regula  
Ridge  
Roberts  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Roukema  
Royce  
Santorum  
Saxton  
Schaefer  
Schiff  
Sensenbrenner  
Shaw  
Shays  
Shuster  
Skeen  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Snowe  
Solomon  
Spence  
Stearns  
Stump  
Sundquist  
Talent  
Taylor (NC)  
Thomas (CA)  
Thomas (WY)  
Torkildsen  
Upton  
Vucanovich  
Walker  
Walsh  
Weldon  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

NOT VOTING—1

Washington

□ 1514

Mr. PETRI and Mr. HOUGHTON changed their vote from "yea" to "nay."

Mr. HILLIARD changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON HOUSE AMENDMENTS TO SENATE AMENDMENT TO H.R. 3355, VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 517 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 517

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the amendments of the House to the amendment of the Senate to the bill (H.R. 3355) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER. The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida [Mr. Goss], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 517 waives all points of order against the conference report on H.R. 3355, the Omnibus Crime Control Act and against its consideration. The rule further provides that the conference report shall be considered as read.

Mr. Speaker, this rule will allow the House to consider the conference report for H.R. 3355, the Omnibus Crime Control Act. Earlier this year the President urged Congress to set aside partisan differences and to pass a strong, smart, and tough crime bill. In response to this call, the House has before it today far-reaching legislation that does exactly that. The conference report establishes a Violent Crime Reduction trust fund to assure that \$30.2 billion be available over the next 6 years for anticrime initiatives. Funding for the trust fund will be made available through the elimination of 250,000 Federal Government jobs.

This conference report will help our Nation to move toward a future free from crime and violence through a



commitment of resources unprecedented in the history of our Nation. The legislation authorizes \$8.85 billion in grants to State and local governments to place 100,000 new cops on the beat. What this represents is a 20-percent increase in the number of police officers nationwide. For South Carolina alone this could mean 1,600 additional police officers on the street. Make no mistake, the legislation before us today is tough legislation aimed at taking back our streets from the criminals.

The conference report provides \$6.5 billion in grants to help States build new prisons for the incarceration of violent repeat offenders. The legislation establishes the death penalty for over 60 Federal crimes, including the murder of Federal law enforcement officers, kidnapping, terrorism, drive-by shootings, and carjackings resulting in death.

The conference report contains three-strikes-and-you're-out legislation which mandates life imprisonment for anyone convicted of a third violent felony. It also provides that juveniles 13 years or older could be tried as adults in Federal Court for crimes such as murder, assault, robbery, and rape and includes the use of bootcamps for youthful first-time offenders. Such bootcamps can provide the discipline and training necessary to deter young people from embarking on a life of crime.

The conference report makes sure that police are not outgunned by criminals and bans military assault weapons. Every year the problem of gun violence only gets worse as more assault weapons find their way into the hands of criminals. These weapons are 18 times more likely than other guns to be cop killers and 16 times more likely to be traced to crime than other firearms. The conference report contains provisions to ban 19 listed weapons, copycats, and other clearly defined semiautomatic guns.

The conference report also addresses the causes of crime. Focusing only on the symptoms of crime will never reverse the problem. The underlying causes of crime have to be addressed as well. The conference report provides funding for community programs intended to prevent crime such as summer school programs and after school programs. The legislation authorizes \$125 million for programs to give young people positive alternatives to gangs and provides \$300 million to stimulate business and employment opportunities for low-income, unemployed, and underemployed individuals.

The conference report also creates programs to reduce violence against women. The legislation increases Federal resources available to combat sexual and domestic violence, through education programs, law enforcement training, and a national domestic vio-

lence hotline. The legislation also provides \$4.5 million in grants for shelters for battered women and their children.

Mr. Speaker, every major law enforcement organization in the country supports passage of this conference report. Organizations such as: The Federal Law Enforcement Officers Association; the Fraternal Order of Police; the International Association of Chiefs of Police; the National Sheriffs' Association; the International Brotherhood of Police Officers; the International Union of Police Associations; the National Association of Police Organizations; the National Organization of Black Law Enforcement Executives; Police Executive Research Forum; the National Trooper's Coalition; and the Police Foundation.

In addition the two largest prosecutors associations as well as groups representing cities, towns, and counties are urging the Congress to approve this legislation. These groups include: the National District Attorneys Association; the National Association of Attorneys General; the United States Conference of Mayors; the National League of Cities; the National Conference of Republican Mayors and Municipal Elected Officials; the National Conference of Domestic Mayors; and the National Association of Counties.

Mr. Speaker, far too many of us no longer feel safe in our own neighborhoods. Violent crime is on the rise across our Nation and the time has come to ensure all Americans the freedom to live and work in safety. The conference report before us today is not a panacea, but it is an important step in turning around this country's crime problem.

Mr. Speaker, House Resolution 517 is a fair rule that will allow this House to consider this wide-reaching conference report. I urge my colleagues to support the rule and the conference report.

Mr. Speaker, I reserve the balance of my time.

□ 1520

Mr. GOSS. Mr. Speaker, I yield 4 minutes to the distinguished minority whip, the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Mr. Speaker, you know, the country should ask itself why has a vote on the rule become such a close vote? Why have the President, the Cabinet, virtually everybody available they can to find one more vote on the rule?

But I think what people need to understand is that a vote on the rule is a vote on a procedure. And this has been, for this bill, a terrible procedure.

Let me make it very clear: For Members of the Congress on the Republican side, this bill became available at 7 last night. Now, the conference ended on July 28, and on July 29 Lamar University issued a press release thanking Chairman BROOKS for \$10 million.

So in the first 12 hours after the conference ended, a conference in which no Republican was involved, no Republican had access, no Republican was informed, within 12 hours the staff found the first piece of pork, made sure their district issued a press release.

But still nothing happened, and they did not have the votes. Why? Because this is not just about one item, this is a bill that has \$33 billion in spending, it has 20 new social programs. This is a bill which cuts the FBI, it cuts the Drug Enforcement Administration.

I suggest every Member read the Buffalo newspapers where the FBI director is quoted inappropriately, being honest, inappropriately saying the truth, which is that his agency, the FBI, gets cut, the DEA gets cut, that mayors and police chiefs are worried.

Now, later in the day the administration got him to send a letter up because otherwise he would have had to resign. But in the newspaper he told the truth. In the so-called crime bill, we are cutting the FBI. And yet at the time he said it, no Republican Member had seen the bill. It had not been available.

Now, why was it not available? This is what Chairman BROOKS said, and every Member ought to listen to this and you ought to ask yourself how you are going to go home with any sense of self-respect and vote "yes" on a rule for a conference report you have not looked at.

This is what he said in the Rules Committee. He was asked what are you asking us to waive? When you vote for this rule, you are voting to waive points of order. He was asked what are you asking us to waive? And this is what he said: "If I had a list written, I wouldn't give it to anybody because they would use it against me. Go to the floor, say, 'Here are the items that are on the scope,' no, I do not do that."

So the chairman of the committee, on behalf of the conference report, which had never been filed, refused to tell the Rules Committee what they are going to vote "yes" on.

So if you vote "yes" and the next week the news media finds the pork, they find how bills have been weakened, and you listen to Congressman ZIMMER later and Congresswoman DUNN tell you how this bill in its current form weakens the part on sexual predators, weakens it, does not strengthen it, takes care of the ACLU. And protects sexual predators instead of protecting communities.

Finally, at some point Mr. FAZIO, in the world of fantasies he has been in, having been alarmed about the Christian Right, will warn you about the Republican National Committee and say, "We are applying pressure."

I am entering into the RECORD a letter from Chairman Haley Barbour. Republicans who want to can vote their conscience, and that is all I am asking

them to do. Finally, you have not been consulted, you have not been informed, you have not seen the documents; it is weaker on crime, it is weaker on sexual predators, it cuts the FBI, it cuts the Drug Enforcement Administration.

Vote "no" on the rule, send it back to conference and insist they write an honest bill out in the open where everybody can see it.

The letter referred to follows:

REPUBLICAN NATIONAL COMMITTEE,  
August 11, 1994.

Re July resolution.

Memorandum for Republican Members of Congress.

From: Haley Barbour.

As usual Vic Fazio and the Democrat Congressional Campaign Committee are trying to misconstrue by 180 degrees the Republican National Committee's notice to our Members of Congress that we had caused a resolution at our July meeting, criticizing some of our Congressmen, to be withdrawn. Fazio's attempt to say this is a threat to withhold support for them is a blatant falsehood and is the exact opposite of the result of our action. We had the resolution withdrawn until January so none of our Members of Congress would have to worry about any threat of withholding support from them.

□ 1530

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1½ minutes to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, we have heard more truly inaccurate words in the last 4 minutes than we have heard in a long time on this floor.

Mr. WALKER. Mr. Speaker, I demand that the gentleman's words be taken down.

The SPEAKER. The Clerk will report the words objected to.

Mr. SCHUMER. Mr. Speaker, may I amend that to say "factually inaccurate"?

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. Without objection, the gentleman's words will be replaced with the words "truly inaccurate."

Mr. SCHUMER. Truly inaccurate.

The SPEAKER. Is that the gentleman's request?

Mr. SCHUMER. That is my request.

The SPEAKER. Without objection, so ordered.

Mr. SCHUMER. Mr. Speaker, we have heard more factually inaccurate words in the last 4 minutes than we have heard in a long time. I submit for the RECORD a statement from the FBI Director supporting the bill, put out on August 10.

I say to my colleagues, you may laugh, but you know why you're laughing, and that is because every time, every time this bill is improved, you find a new objection.

Remember the Racial Justice Act? We heard from the other side they want the bill except for the Racial Jus-

tice Act. The Racial Justice Act in my opinion regrettably is not in the bill. They are still not for it.

Then we heard from the other side they wanted \$8 billion in funding for prisons. There is now \$8.4 billion for funding in prisons. They are still not for it.

They wanted truth in sentencing. They got truth in sentencing, and yet they still oppose this rule.

Mr. Speaker, they still come up with one excuse after another to give the American people an up or down vote on the crime bill.

So the time has come, my colleagues, for truth in voting. I say, if you want to do what our constituents are pleading with us to do, which is make the streets safe, tough laws on punishment, smart laws on prevention, you will vote for this rule because we cannot hide behind any procedural smoke screen. If you vote down this rule, there will be no crime bill, and the American people will suffer.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished ranking member of the Committee on Rules, the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, when this conference report was filed on this floor last night at 7 o'clock, I was assured that plenty of copies would be available to the Committee on Rules in 2 or 3 minutes. In fact, only one copy of this 972-page crime bill, the conference report, was delivered to the Committee on Rules, and Republicans first got a copy of it only 23 minutes before the scheduled start of the Committee on Rules debate.

Mr. Speaker, the Committee on Rules then proceeded to report a rule waiving all points of order on this monstrosity. One of the rules waived was a requirement that Members of this House have 3 days in which to learn about the conference report and what is in it. There is not a Member in this House who has any idea what is in there.

Mr. Speaker, there clearly are a great many standing rules of the House that are being violated in this rule. But when we asked the chairman of the Committee on the Judiciary for a list, we were told that even if he had such a list, he would not give it to us because it might be used against him. Mr. Speaker, that is not right, and my colleagues all know it.

With regard to the conference report itself, there are a few good provisions in it. But those good provisions have been so overloaded with social program giveaways and soft-on-crime provisions that the bad news in this package far outweighs the good, and my colleagues know that if they take out the politics.

The conference report eliminates mandatory minimum sentences for certain drug traffickers. This provision is retroactive and would result in 10,000 criminals being put back on the street—10,000.

Mr. Speaker, one of the best ways to judge a piece of legislation is to see who supports it and who is opposed to it. In this case why are the liberals, who are always opposed to tough penalties for criminals like the death penalty, why are they for this? And why are conservatives like me who always vote to crack down on criminals, why am I opposed to it? The answer, Mr. Speaker, is obvious.

This is not a crime bill, as much as the liberals would want us to think, this is a welfare bill with a few good things put in there to provide political cover. For example, this bill creates a thousand new social worker positions to run all the dance lesson programs, all the arts and crafts lessons, all the midnight basketball programs. Those are all failed CETA programs from 10 years ago. There is funding in this bill sufficient to hire two new social workers for every new cop on the beat.

That is what this conference report is all about. This legislation throws a huge amount of money around in a way that is not likely to have much effect on crime, but the effect on the taxpayers may be very, very huge. The sum of \$30 billion of the \$33 billion in this package comes from the violent crime resolution trust fund, which is supposed to come from savings achieved by laying off 252,000 Federal employees. How many times are we going to use that money? This is the fifth time.

Mr. Speaker, this conference report lets criminals out of jail who have committed crimes with guns and takes the guns away from law-abiding citizens. That is wrong.

This is terrible legislation. We can defeat this rule, and we can come back here with a real tough crime bill that we could all support, and we would be doing what is right for the American people.

Please vote against the rule.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1½ minutes to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, this is the vote of the year, all rhetoric aside. We either break gridlock, or we cave in once again to special interests and partisanship. Health care, Haiti, the economy; this is the vote of the year.

And what is the alternative? If this rule goes down, how many of my colleagues here actually think that we can come up with another crime bill?

Mr. SOLOMON. I do.

Mr. RICHARDSON. We have no way of ensuring that the good prevention measures that are here, that the good punishment measures that are here, and the 100,000 cops on the street will survive once again. The NRA and every group that did not get what they wanted in this bill will be back.

If this rule goes down, there will be no crime bill, and I can assure my colleagues that, if we go home, and look



our constituents in the eye at town hall meetings, and one on one, and polls, and the message being to do something about crime, and we do not, I think we are going to pay.

And do not call some of these programs social welfare programs. These are programs aimed at the young men and women of our inner cities, men and woman that have lost hope. These are prevention programs designed to help these young people cope with the future. Do not call them social programs. These are investments in the future.

Mr. Speaker, if we vote to kill this rule, there will be no crime bill, or, if there is, it will be a lot worse than what we have here. Vote for the rule.

We are minutes away from breaking gridlock, putting partisan politics aside, and showing special interest groups that they do not control Congress. Mr. Speaker, we are now ready to pass a crime bill that the American people in every district and in every State have been asking for.

No Member of Congress can justify voting against this crime bill. If a Member thinks the bill is not tough enough, I say what about the three-strikes-you're-out provision that will send criminals with three serious offenses to prison for life without parole; what about the death penalty which will be added to more than 60 crimes; what about funding for more prisons which will mandate that criminals serve at least 85 percent of their sentence. Mr. Speaker, this bill is tough, and only the criminals should hope for its failure.

I also ask which Member of Congress will be the first to tell parents in their districts that Congress has chosen to do nothing to help keep their children off the streets. This crime bill provides young people with job training and opportunities so they can learn teamwork and responsibility and say no to crime.

And finally, who will want to go back to their districts to tell their local chief of police and mayor that the crime bill did not pass. Members should know that with 100,000 new cops on the beat, criminals will want to think twice before committing a crime. Our constituents will be able to work with the police to keep every neighborhood safer.

Mr. Speaker, all members should be able to go back home to tell parents, teenagers, police, and every citizen in their district that Congress has listened and has passed a crime bill. This bill fights crime and gives control of our neighborhoods back to honest citizens and keeps the criminals in jail.

Mr. Speaker, let's show America that we will no longer tolerate crime. This crime bill is our chance to give Americans what they have been asking for. I urge my colleagues to listen to the American people and to vote yes for the rule.

□ 1540

Mr. GOSS. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Illinois [Mr. HYDE], who has spoken so well on so many of these relevant subjects dealing with this bill.

Mr. HYDE. Mr. Speaker, I want to make it quite clear that I still support the legislation concerning the assault

weapons, forbidding the future manufacture for 10 years and the future importation of assault weapons. I still believe in that and I still support it, but I cannot vote for this bill.

This is an awful way to legislate. There are 154 jobs programs now on the books costing \$25 billion a year. AL GORE and his Commission to Reinvent Government talked about consolidating these overlapping, duplicative, redundant programs. Instead of consolidating, we are proliferating. We are throwing in 30 new social programs at a cost of \$8 billion.

I did a little research, and I looked up the Omnibus Crime Control and Safe Streets Act of 1968. Shades of Lyndon Johnson. You ought to read it. It is an identical bill with what we are doing here. Has there been an improvement in street crime, in drugs, in drive-by shootings?

We spend millions for the same old thing, and our answer to the festering crime problem is more of the same. There were no hearings. We did not look at these programs and see which of them are triple funded. Social workers will be competing with each other in a tug of war to get clients to attend their self-esteem, their craft, or their dancing classes. Meanwhile, the people are ducking from stray bullets.

This is not a decent, responsible way to legislate. And then the coup de grace, \$10 million for this university in Beaumont, TX. God love the chairman, I wish I had half his skill in getting things for places in my district. And this was done not in the dead of night, probably about 4 in the afternoon, after the conference was through, after the books were closed, handshakes all around, press interviews, and then, \$10 million for some place in Beaumont.

That is what characterizes this whole legislation. It is a disgrace. So let us go back to the drawing boards. I do not mind social workers. I think they are great. They are underpaid. But let us look at programs that can work, that can accomplish something. Let us not just shovel with a trowel hard-earned tax dollars onto untested and unproven programs. We are not legislating responsibly.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of the rule to the conference report on the Violent Crime Control and Law Enforcement Act. I laud Chairman BROOKS, Chairman SCHUMER, and the conferees for their hard work and dedication in crafting a comprehensive and balanced crime package.

In 1991, I stood where the Speaker stands now. It was early in the morning, as you recall, and we passed a crime bill. It was a tough crime bill. It

had many of the provisions that are in this bill, and it went to the Senate. It had none of the social spending that you now talk about that so concerns you. But the point of fact is, the Republicans in the U.S. Senate filibustered the crime bill, and it did not pass. They did not send it to the then Republican President of the United States.

The fact of the matter is, in my district and in yours, there are children being killed on the streets of America. People are concerned. They want us to act. They want us to act now, not later, not tomorrow, not after a filibuster, not after another election, not after Bill Crystal tells you, hey, it is all right, it is all right to vote for something now.

Yes, the Democrats may claim credit. Yes, it may be good for America, but no, do not take Bill Crystal's advice, send them home empty-handed, which is what Bill Crystal is telling all of you to do. Because if you do, those parents on the streets of America, in the schools of America, in the communities of America, will pay the price, not those of us who sit in this Chamber.

Over the past year, I have met with mothers and fathers, law enforcement officials and ministers, community leaders and young adults. Overwhelmingly, the No. 1 concern on their minds is what does this country need to do to stop the ever growing crime epidemic? My constituents as well as yours are demanding we take action. Passage of this bill sends them a clear message that the people they elected are listening and care about their concerns.

We all recognize that this bill is not the absolute solution to the crime problem but it is an important link in the crime prevention chain. This bill is a prescription which appropriately packages prevention and punishment. It encompasses critical crime prevention measures which attack the root causes of crime allowing our State and local governments, who fight on the front lines, to have resources available to make our streets and neighborhoods safe.

It also contains vital punitive measures aimed at removing the perpetrators of violent crime from our civilized and ordered society. I am particularly pleased that the "three-time loser" provision I proposed last year is included in this bill. That provision will insure that those who continue to threaten our people and our communities will be put in jail and stay there permanently.

The time for action is now. We must not fail those who sent us here, some of whom are afraid to leave their homes at night and who are seeing the moral fibers of our society being eaten away. Enough is enough. This body must release the chains which hold the crime bill hostage.

This is a tough crime bill. Its time is now. Let us vote for this rule. Democrats, let us come together. America sent us here to act. Let us act today.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Texas [Mr. ARCHER].

Mr. ARCHER. Mr. Speaker, I rise in opposition to the rule. The big print giveth, the small print taketh away.

Mr. Speaker, while I am opposed to H.R. 3355, the Omnibus Crime Control Act Conference Report, I would like to express my strong support for the Canady-Geren amendment clarifying the Federal courts' role in selecting remedies for prison overcrowding. The provision was included in both the House and Senate crime bills.

The Canady-Geren amendment requires the Federal courts to evaluate cruel and unusual punishment claims based on how prison conditions affect the individual inmate who brings the lawsuit. In addition, it would prohibit prison population caps and limit equitable relief to the least intrusive means necessary to remedy the violation. The Canady-Geren amendment would also give State and local governments greater flexibility in seeking modifications of previous court decrees.

Like many other States, Texas' prison population is controlled by a Federal consent decree, prompting the early release of prisoners back to the streets of our communities. The consent decree in Texas provided that the Texas Department of Corrections [TDC] would limit the statewide prison population to 95 percent of TDC's maximum capacity. Among other things, the decree also forced the TDC to only use certain facilities in calculating the maximum capacity of its existing system, and only then-existing facilities which met certain standards could be counted in figuring TDC's capacity.

In September 1986, TDC petitioned the Federal district court for a modification of the consent decree to permit TDC to increase the prison system's capacity by counting certain temporary beds available in other facilities toward TDC's capacity. TDC argued that an extraordinary and unforeseen increase in inmate admissions to the prison system justified such a modification. After a hearing, the district court denied TDC's motion, on the basis that the facilities TDC wanted to count were substandard or not authorized under the consent decree. TDC appealed the decision to the Fifth Circuit Court of Appeals, but it upheld the district court's decision. As a result of the denial of the motion, the administration of the TDC was essentially performed by a single Federal judge and the State was forced to adopt the early release program in order to meet the 95 percent cap on Texas' prison population.

The States need the Canady-Geren amendment to regain control over prison policy. What the States do not need, however, is unfunded mandates and reckless social spending under the guise of crime control.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. SENSENBRENNER], a member of the committee.

Mr. SENSENBRENNER. Mr. Speaker, this is not an issue of Republicans

and Democrats. More accurately, it is not an issue of liberals versus conservatives. The issue on this rule is whether we will legislate responsibly, both procedurally and in substance.

There is a group in town that is circulating petitions to all Members of this body pledging that they will not vote for any health care proposal that they have not read, and that is a legitimate request when we are dealing with one-seventh of the economy and something that affects all of us. But does not the same apply to this bill, which has \$33 billion in spending, changes criminal procedures, and which its sponsors claim will make the streets safer and lock criminals in jail?

Should not the membership of this House have an opportunity to read this bill? Should not the media and the American public be able to analyze the provisions of this bill?

Those who vote in favor of this rule will say very clearly, no, because this rule waives points of order. There is no point of order that will lie on the fact that if this bill is brought up, the 3-day layover rule will be waived.

The conference finished its work on July 28, and it was not until 7 o'clock last night that the conference report was filed, and the printed version of the report was not available until 10 this morning, less than 6 hours ago, when the CONGRESSIONAL RECORDS were distributed.

There will also be no point of order on the conference exceeding its scope. We know that a point of order would lie if it were not for waiving the points of order on the \$10 million for Lamar University.

Last night we took a great step forward in restoring the public confidence in how this House does business in passing the Congressional Accountability Act. Let us not wreck that good record. Let us not wreck that goodwill by approving this rule that does not allow Members to read the bill and waives the scope of the conference so that pure, unadulterated pork will sneak through simply because nobody has had the time to expose it to the light of day.

Please vote no.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1½ minutes to the distinguished gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of the rule and the conference report on the crime bill.

It is clear that most Americans want the Congress, and Government at every level, to make fighting crime our No. 1 public priority. Once again, however, a debate on crime has been overshadowed by a sideshow produced and directed by the National Rifle Association.

It is time that House members recognize that the NRA leadership has no in-

terest in combating crime. Instead, it is preoccupied with collecting dues and contributions. Any scare tactic is acceptable as long as it fills NRA coffers.

To listen to the NRA's shopworn arguments, twisted constitutional interpretations, and bullying threats, one would never know that this bill contains only a modest provision to ban a few weapons that have virtually no sporting purposes and that few law-abiding citizens own.

No one's constitutional rights are threatened by this bill. But the NRA must raise that specter in order to rouse its current members to send more cash and induce new members to join.

Make no mistake about my motives. I have been a hunter. I collect guns. I keep a loaded gun in my home for protection. I am a gunman.

But I do not need an assault rifle—and I do not believe that passage of this bill will lead to the long arm of the Federal Government confiscating all guns.

This is a reasonably good bill, and it deserves our support.

Mr. Speaker, I have found that the NRA members in the district I represent are way ahead of the NRA leadership in Washington. Rank-and-file NRA members tell me that they will fight hard to protect their right to own and use firearms for legitimate purposes but that they have no objection to reasonable efforts to keep weapons from those who would misuse them.

Contrary to NRA propaganda, this is not a gun control bill. It is an anticrime bill that includes the assault weapon ban as one part—one relatively small part—of an overall strategy.

This bill provides tougher sentences, more law enforcement, more prison cells, and more crime prevention. That is what the American people want.

Mr. Speaker, it is easy to pick apart this or any legislation. I would have written it differently. We all would have written it differently. But this bill is a step in the right direction.

This bill will not eliminate crime. It cannot. But it will prevent crimes that now occur. It will take more criminals off the street for a longer time. And most important, it will save American lives.

Let us not be diverted by a special interest group with its own narrow agenda. I urge my colleagues to reject the ravings of the radical fringe and pass this rule and this conference report.

□ 1550

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Speaker, I rise in strong opposition to this rule.

Mr. Speaker, today we are going to vote on the Clinton stimulus package. But this time we are calling it a crime bill.

The No. 1 concern of the American people is crime. So rather than putting together a bill



that cracks down on crime and puts criminals behind bars, Congress, in its wisdom, pours more money into social welfare programs.

Let us look at some of the crime programs included in this bill: \$40 million to let frustrated athletes play basketball. But only frustrated athletes that are HIV-positives, \$900 million for the YES Jobs Program. This is in addition to the \$6.5 billion we already spend on other job-training programs. Five million to teach life skills, whatever that is; \$40 million to increase the self-esteem of school dropouts; \$10 million for public housing. Apparently the \$309 billion we already spend is insufficient, and \$630 million for things like teaching kids how to dance and make pottery.

My friends across the aisle are just sure that by throwing around a few more welfare dollars we'll be able to solve society's crime problems.

But look at the figures. We have spent \$5 trillion on welfare since Lyndon Johnson declared war on poverty. Yet the national rate of crime is at the highest level it's ever been.

Let us vote this bill down and put together a bill that really addresses our crime problems.

Mr. Speaker, 1 week ago I spoke on the House floor about the false promise included in the crime bill to put 100,000 new cops on the street. At most, this bill will fund only about 20,000 new cops. And that's only for the next few years unless local cities can come up with the \$33 billion they'll need to pick up the tab when Federal dollars are gone.

Even more, these cops are going to be funded by cutting other critical law enforcement. We're taking FBI and DEA agents off the street to fund, at best, 20,000 new cops that will not even be around in a few years. By the time local law enforcement are able to recruit and train their new cops, Federal funding will dry up and those new cops will be gone. In the end, not only will we have failed to put more local cops on the street, we've lost critical Federal law enforcement.

What is worse is that this bill puts more money into welfare and social programs than it puts in cops. This bill will put two new social workers on the street for every cop it funds. This is hardly fighting crime. When I call 911, I don't want to talk to a social worker, I want to talk to a cop.

This is a terrible bill and I urge my colleagues to vote it down.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. FISH] the distinguished ranking member of the Committee on the Judiciary.

Mr. FISH. Mr. Speaker, I rise in opposition to the rule. This conference report contains provisions which I oppose and, in addition, the conference committee deleted provisions which I supported. However, my opposition to this rule is based as much on procedural objections as it is on substantive policy.

As we all know, violent crime is a devastating national problem. Violent crime has increased in this country over 23 percent since 1988. A violent crime is committed once every 22 seconds and a murder is committed once

every 22 minutes. A rape occurs every 5 minutes and a robbery every 47 seconds. Over 70 percent of the violent crimes committed in our country are committed by repeat offenders.

These are not just statistics. The victims of these crimes are real people—they are our constituents—and the ultimate victim is society. The crime epidemic has brought with it the pestilence of fear and Congress should address this complex problem in a comprehensive, realistic and bipartisan way. Whether we are Republicans or Democrats this is a national crisis that we share and partisan politics should not interfere with the best solutions.

Back in March, following action in the House Judiciary Committee on the Violent Crime Control and Law Enforcement Act of 1994, I went before the Rules Committee urging that certain key amendments be made in order. Those were amendments put forward by the Republican members of our Committee and reflected a number of very valid and valuable approaches to the serious problem of crime we have in this country.

Unfortunately, when this legislation was brought to the floor in April, several of my Republican colleagues were prevented from offering amendments under a highly restrictive rule. Still other Republican amendments were allowed but they were subjected to a king-of-the-hill procedure that prevented any real genuine opportunity for success.

Subsequently, after the legislation was passed by the House of Representatives, I appointed the four most senior Republican members of the House Judiciary Committee to serve on the conference committee on the Crime bill. For many weeks and months, the conference committee did not meet. Republican members were routinely excluded from closed door meetings during this time period. Then, finally, when the conference committee briefly convened, Republican Members were routinely refused key documents and several significant Republican amendments were dropped or weakened. Numerous Republican proposals were defeated in conference through the utilization of the proxy vote mechanism. Ultimately, none of the Judiciary Republican conferees signed the conference report. How could they approve a document which they had no part in formulating?

Furthermore, the conference report itself is a document that has been conspicuous by its absence. As of yesterday evening, the Members of this House did not have a complete, final copy of the conference report. The conference version, as I understand it, is almost four inches thick, it is over 1,000 pages long. How do we evaluate a major piece of legislation that no one has been permitted to read?

Mr. Speaker, I stand here as the Ranking Republican on the House Ju-

diciary Committee. The upcoming vote on the rule is a procedural vote that must be evaluated in the light of these events. The rules process goes to the very heart of our role as legislators and our rights as Members of this House. I am angered and dismayed about the manner in which Republican Members have been denied their rightful role on this very important public policy question.

Mr. Speaker, I will vote "no" on this rule because of the tactics used by the Majority party—tactics which insult the Republican Members of this House and the American citizens we were elected to represent.

Mr. DERRICK. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. NEAL].

Mr. NEAL of Massachusetts. Mr. Speaker, first of all, I thank the gentleman for this opportunity to address the issue that many see as the number one problem facing our Nation: violent street crime. The philosopher Rousseau described nature as a state of blissful anarchy. Well, today on the streets of our cities we have a state of unhappy chaos. Street crime is the reason people flee the city. If we reduce street crime, we greatly improve the outlook for our cities.

This crime bill is a solid mix of prevention and enforcement. Law enforcement officials will get a much-needed boost out of this bill. Additionally, this bill contains \$7½ billion for community crime prevention programs. Yes, we must build bigger jails and insure that convicted criminals serve their full sentences, but we must also take steps to stop criminals before they get started. These prevention programs will do that.

Let us cut down on the violence. Let us cut street crime. Let us cut gang activity. Let us end the chaos. Let us protect the public, as we are required to do—let us pass this rule and this bill.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. LEVY].

Mr. LEVY. Mr. Speaker, I rise in total opposition to this rule.

Mr. Speaker, some weeks ago, when the crime bill originally came before this body, I reluctantly voted in favor of the bill.

It was my feeling at the time that, although there was much in the bill that I did not favor, the good in the bill outweighed the bad. I voted "aye" because I wanted the crime bill to advance to a conference committee and in the hope that the conference would strike those provisions which I opposed.

The conference committee did that in one instance, when it struck the so-called Racial Justice Act. But then it stopped.

It included in the bill a provision to retroactively eliminate mandatory minimum sentences for some drug offenders. More than 10,000 convicts in prison are hoping we pass this bill so they can apply for early release.

The conference eliminated Senate provisions which would have penalized, for the first

time, those who actually use firearms illegally when those firearms have been transported across State lines.

Conferees cut, by 50 percent, the amount of money which the bill was to have spent on prison construction.

And, they left in the bill billions of dollars for programs that duplicate existing efforts and which have no proven impact on crime. You know the ones I am talking about. My constituents know the ones I am talking about and they do not want to pay the tab.

In fact, spending in the crime bill as it currently stands is 50 percent higher than that contemplated in the original Senate crime bill and \$6 billion more than approved on this floor. And why?

Because conferees insist on spending public money on midnight sports leagues, arts and crafts, dance instruction and the like. The list is too long to go through here but it totals \$9 billion. That is \$9,000 million.

The crime bill, as currently proposed to come before us, is opposed by the Council of Citizens Against Government Waste and the National Taxpayers Union, both of which describe the crime bill as a pork-barrel waste.

I ask my colleagues to vote against this rule. It is the only way we can get the bill back to the conference committee so it can be cleaned up and the wasteful spending removed.

Finally, Mr. Speaker, and for the record: Many of my colleagues are attempting to portray the vote on this rule as a vote on gun control. For some Members, it may be that. It is not for me. And I object strenuously to those who suggest that those of us who will vote "no" on the rule will do so because of pressure which has been brought to bear by the pro-gun lobby.

The fact of the matter is that my office has not even been contacted by the pro-gun people. There has been no pressure.

I am voting "no" for one reason and one reason only: I want to vote for a crime bill but I can not vote for this one. It spends too much. It lets convicts go free. It does not punish those who use firearms illegally and it fails to live up to its billing with respect to prison construction.

Let us send the bill back to the conference so we can produce a piece of legislation we can be proud of—one that carries a smaller price tag and which is a crime bill because it fights crime and not because it, itself, is a fraud on the taxpayers.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Washington [Ms. DUNN].

Ms. DUNN. Mr. Speaker, I rise in opposition to the rule and with a deep sense of outrage.

This crime bill is not well reasoned. By now, all Members know of the ill-considered provisions that could never stand alone on this floor were they to be subjected to a vote.

My outrage, however, is reserved for another issue: What do we do when sexual predators are released back into our neighborhoods?

Let me recount the history. The Senate adopted a provision encouraging community notification when sexual

predators are released from prison. The House, despite the objections of the Committee on Rules, finally made its will known when this body voted 407 to 13 to instruct House conferees to accept that Senate language.

Then what happened?

A handful of conferees snubbed their noses at the will of the U.S. Congress—both the House and Senate—and weakened the Senate language on sexual predators beyond recognition. They stacked the deck against community notification, they diminished the length of time that predators are tracked, and they did this in the face of yet another bloody tragedy.

Seven-year-old Megan Kanka of New Jersey is dead, Mr. Speaker. Sexual predators were released into her community and they lured that precious little girl to a grisly death.

Conferees who worked to protect the rights of sexual predators should understand this: The next little girl killed by a released predator will haunt them.

Mr. Speaker, it is outrageous that a few conferees have supplanted their will for the will of the House. It is outrageous that this bill effectively denies notification to the next Megan Kanka or the next Polly Klaas, or to your mother or sister or daughter. And it is outrageous that we would place the rights of criminals over the rights of victims.

I will not be a party to it. I will vote to reject this rule. I will vote to tell the conferees to reflect the will of the House and the Senate.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, I speak with a little bit of credibility on, I think, this bill. I am one of those rare individuals that voted for the racial justice provision, and I also voted against the assault weapons ban. And I also supported the amendment of the gentleman from Washington.

This is not a perfect bill. If we wait for a perfect bill, it will never come before this House.

I would like to speak to some of those folks that say, I just cannot vote for the rule but I will vote for the bill. That does not make a lot of sense. If we cannot get a rule passed, we cannot vote for the bill.

Let me say to Members though, those folks that they say they do not understand this bill. It strikes me as a little bit odd, because every talk show host and all the pundits have been talking about the basketball and everything for two weeks on this bill. Members would think that the only thing in this bill is night basketball.

Let me say to my colleagues on night basketball, every small community in my district, when I go visit with city officials, they talk about the need to

try to find something for the young people to do. Does it not make more sense to have a night league of basketball that is supervised than to have gangs on the street corners that are mugging people?

This is not a perfect bill, but this is a good bill. If it is so bad, if this bill is so bad, let us pass this rule and vote the bill down.

The Republicans do not want a vote on this bill. They want to kill this rule, and it is not about money. It is not about social programs. It is about the two issues that are predominant in this bill that have the objections: racial justice on the one hand and guns on the other. It is just as simple as that. I voted for both of them.

But give us a vote. Members that are hesitating to vote for this rule, give us a chance to vote on the bill. And then when we bring the bill up, if they do not like the bill, vote against the bill. If it is so bad, but give us an opportunity to exercise our democratic right in this body to vote for this bill and to vote for this conference.

I would hope that we would not be intimidated by the scare tactics, and I have been threatened all day that I will not be back here if I vote for this rule. I may not be back, but I can get up in the morning and look myself in the mirror and say, I gave the people an opportunity to vote for a conference report.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland [Mr. BARTLETT].

Mr. BARTLETT of Maryland. I rise against the crime against the American people with this rule and the crime bill which I strongly oppose.

□ 1600

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the Commonwealth of Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Speaker, when the death penalty provisions in this bill reached this House, they were constitutionally flawed, purposely so, in my judgment, because those words, those provisions of the death penalty, were crafted by the long-time opponents of the death penalty. Why? So they could put together a bill that says "We are tough on crime by instituting the death penalty," but leaving it so flawed that it would not be constitutionally sound.

Mr. Speaker, the House then voted on the Gekas amendment, rejected the flawed language, reinstituted proper, constitutionally sound instructions by the court in those procedures, and lo and behold, we had a bill the death penalty portions of which we could support.

Then what happened, Mr. Speaker, was that the conferees, contrary to the will of the House, and contrary to the will of a second vote by the House on



instructing these conferees, blatantly again went back to the original flawed death penalty language, and here we are today, with a death penalty bill that has no teeth in it in this particular version.

We need to go back to the conference and reconstruct a death penalty bill that will meet the constitutional muster, and which the people in our country who want to be tough, not falsely tough, who want to be strong, not apparently strong, on appearances only, but fair and tough, and to do the ultimate will of the American people, to institute a death penalty that will act as a deterrent to violent crime, and will end the endless death row appeals that make us sick and tired of the criminal justice system that now does not allow the death penalty to be applied in its proper way.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1½ minutes to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Speaker, after much soul-searching, I rise to say that I intend to vote for the rule which will allow us to consider this crime bill. I urge my colleagues to join me in passing a bill to deal with a problem that our constituents say is most on their mind, the problem of crime.

A racial justice provision did not survive the conference committee. This is wrong. There is racism in the imposition of the death penalty in this country. We should be voting for a bill that uses basic American principles of justice if we are to send human beings to the electric chair.

But for this one provision that is not in the bill, there is much good in the bill. It is important to remind my colleagues where I come from. I founded and chaired the Congressional Urban caucus, and I represent one of the most troubled urban districts in America. It is a poor district. It is struggling, and it is at war with crime.

Mr. Speaker, in our country we are supposed to live free, but crime has robbed the people of my district from the very freedom to walk the streets outside their homes. They are now forced to keep their children prisoners in their homes. They cannot go out because other kids are playing with assault weapons.

A young girl in my district, little Michelle Cutner, was on the last day of school walking back home from school with her mother. She stopped at the corner store to buy a bag of potato chips. As she ate that bag of potato chips, a 15-year-old boy, Jerome Walker, wanted a lift from his friend who would not give it to him. Jerome took out a TEC-9, started shooting. Michelle was killed.

Part of the special interest campaign to block this crime bill has been to criticize prevention programs as pork. They belittle an innovative midnight

basketball program, but they ignore the facts.

Experience all around this country shows us that a little spending on recreational crime prevention stops a lot of crime. They spent 60 cents per child in Phoenix to keep basketball courts open until 2 a.m. last summer, and juvenile crime dropped by 55 percent.

What is going on here? We have to disarm the National Rifle Association in this town. They do not tell us what to do. Our constituents tell us what to do. They are telling us to pass this bill. Let us do it for them. Let us do it for little Michelle Cutner.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Nebraska [Mr. BARRETT].

Mr. BARRETT of Nebraska. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in opposition to the rule, and to the conference report as well.

It includes too much spending for so-called prevention programs, and it offers too little toward keeping criminals off our streets.

And I rise in opposition, because we are again being asked to vote on comprehensive and costly legislation that we have not had time to study. The conference report was not printed in detail until yesterday, and those CONGRESSIONAL RECORDS didn't arrive in our offices until this morning.

My constituents understand when I say this is "No way to run a railroad, unless, of course, you're running it off a cliff."

And this conference report is a train wreck. It is more of an attack on our pocketbooks and constitutional rights than on the problems of crime. All that is good in the bill is cancelled out by social spending boondoggles.

Can we really consider arts, crafts, dance programs, and midnight basketball leagues crime prevention?

And what happened to "three strikes and you're out?" Now in this bill, the third strike must be a Federal crime, which constitute only 5 percent of all crimes committed. It appears criminals will get a number of foul tips before going to jail.

I also said the bill is too little. I wish we had before us needed habeas corpus reform and reforms in the exclusionary rule. We should defeat this bill and bring back legislation that we can truly call an anticrime bill.

America needs to get tough on crime. Unfortunately, this conference report, with a \$33 billion price tag, is tougher on the taxpayers than it is on the criminals. Vote "no."

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. DREIER], my colleague on the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, this is a clearly unfair rule, though tragically not unprecedented. The call for blanket waivers basically means that there are many items in that thick package sitting next to Mr. SOLOMON over there which many have not been able to read.

Clearly, however, there are some appealing aspects of the crime bill. One of the most appealing is the idea of 100,000 new police officers on the street. We have all heard that figure from the President, from Members of both houses of Congress. This has been touted all across the country.

The fact of the matter is, Mr. Speaker, if we look at the funding that is ostensibly supposed to be provided by this, we would be lucky to get to one-fourth that number. Why? Because in a nationwide survey that was conducted by the Committee on the Judiciary and some other operations, they found that the average cost per officer for equipment, salary, overtime, is \$65,000 per year, yet this bill only provides \$14,700 per officer. So we would be lucky to get 25,000, and yet we continue to hear this 100,000 figure.

The waivers that have been granted in this thing make it a clearly unfair rule. We should reject this, bring about a rule and a crime package which can in fact deal with what the American people want us to address.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 30 seconds to the gentleman from California [Mr. TORRES].

Mr. TORRES. Mr. Speaker, I rise today in support of the rule for the conference report to the crime bill 1994.

The crime package that will soon come before us represents the largest commitment of Federal dollars, over \$30 billion, to combat crime. The crime bill includes a broad range of measures to help put more police on the street, more criminals behind bars, and to help keep our children off the path to crime.

I am especially pleased that the crime bill includes a provision that I authored to combat violent criminal street gangs. The Criminal Street Gang Prevention Act sends a strong message to hardened gang members that the violence they perpetuate will not be tolerated. As violent offenders, gang members will serve their sentences consecutively to any other sentence imposed for the crimes they commit. Punishment will be enforced.

Yet passage of this crime bill will also help steer young people away from crime and drugs. The crime bill directs over \$7 billion toward community crime prevention programs. These programs represent Congress' determination to help our constituents combat the social conditions that contribute to crime: delinquency rates, gang involvement, substance abuse, unemployment, teen pregnancy, school dropouts, and other factors that can lead our children toward crime.

These programs are exactly what people in the communities that I represent in Los Angeles County and people across the Nation are clamoring for—Congress must address the very real crisis of violent crime in our communities. Passage of this crime bill

embodies our commitment to take back our neighborhoods, give our children a future, and provide all of us an opportunity to join together in the fight against crime. I urge all of my colleagues to vote "yes" on this rule.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I rise in opposition to the rule to accompany H.R. 3355, the Omnibus Crime Control Act Conference Report. This bill is over 900 pages of social programs masquerading as a serious attempt to control our Nation's crime—a resting place for billions of dollars for pet pork projects. A bill that even the FBI Director says will not help fight crime but, in fact, will hurt his agency.

Apparently, in a \$33 billion crime bill money just could not be found for some basic law enforcement—that is incredible. However, there is plenty of money for midnight sports leagues, arts, crafts, and dance programs.

Consider for a moment a provision labeled the Local Partnership Act, a program directed toward education and abuse treatment. Sounds good? Well, there is no enforceable provision that says the funds for this provision be used to directly fight crime. In fact, the distribution of funds for this act will be based on a communities' local tax burden—this economic formula rewards high-taxing, big-spending cities and States regardless of whether these funds are being spent on crime control. If LPA was truly targeted for States and cities that are doing their best to fight crime, the funds should have been tied to the percentage of revenues used for law enforcement instead of overall tax rates.

And consider the midnight basketball programs contained in this bill. Now, it occurs to me that the Federal Government should not be encouraging children to be away from home after midnight; however, in typical Federal micro-management style the conditions for playing some ball in one of these Government leagues are: one half of the players have to live in public housing and you have to have more than 80 players to qualify and the games have to be played in communities which have high incidence of sexually transmitted diseases.

The bill's supporters maintain that this bill will hire 100,000 new police officers. Anyone making that kind of statement has not read the conference report. Many of the new officers will be replacements for those retiring or leaving the force—a net gain of zero. Supposedly, Congress was going to pay for these new cops but there is only enough money for twenty thousand fully funded positions in H.R. 3355. Pity the financially strained city that will not be able to come up with the money to buy these mythical police persons. Another unfunded mandate for our cities from the Federal Government.

The administration's touts the bill's "three strikes and you are out" Federal sentencing provisions. Sounds great. But they do not tell you that the provision covers only 1 percent of all the crimes. And probably what is the most cynical of all the provisions contained in this conference report is that this legislation will retroactively end mandatory minimum sentences for up to 10,000 drug offenders. In fact,

many individuals will be released early under the bill's guidelines.

Let us not fail to mention the much debated assault weapons ban. Again, remembering the administration's promise that the bill will only cover 19 weapons, honest law abiding citizens now find that their government overnight has made them criminals if they purchase not those original 19 weapons but an additional 180 firearms.

Vote "no" on the rule and let us get to work on a bill everyone can be proud of.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Mexico [Mr. SCHIFF], a member of the Committee on Rules.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, this is supposed to be an anticrime bill, but the Congress is being blackmailed into supporting it. What do I mean? There are numerous provisions in the bill that I believe are positive accomplishments for law enforcement, but in order to get to them, we have to vote for a conference report that also contains provisions which I believe would never pass the Congress if they stood there by themselves.

Two examples: first, an elimination from mandatory minimum sentencing, totally, for certain drug traffickers. Although that provision is in the bill, the President and the Attorney General have never boasted about that provision when they go around the country and say why we need this bill. Why are they not proud enough of it to talk about it?

Second, outrageous spending that has nothing to do with law enforcement. I am not getting involved in the crime prevention versus law enforcement debate. There are spending programs in this bill which never were even intended for crime prevention by their authors. They became crime prevention programs only to get them in this bill, to have spending programs that would not pass any other way.

Mr. Speaker, we can solve this problem. We can vote against the rule. We can send this bill back to the joint committee for more revision. That is what I urge my colleagues to do.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield one minute to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, I wrote the racial justice provision. The Senate took it out of this bill, but I am supporting this rule because I come from one of the cities where guns are easier to get than jobs, where gun licenses are more available and easier to obtain than drivers licenses, where we have a situation that has got to be changed by this House.

For 3 years we have tried to get a crime bill, and we have now got a smart crime bill. I do not apologize to anyone in this Nation for bringing a crime prevention package to the crime bill. We need this.

The other part of it is that the National Rifle Association is not going to get the last laugh on us. We know they are trying to get to assault weapons. That cannot come out of this bill. It will never come up in another bill.

In the name of all of those mayors and sheriffs and police chiefs and community organizations that have talked to me and begged me "Let us have a tough, sensible, smart crime bill," the time is now. Vote for the rule and support this bill.

□ 1610

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Arizona [Mr. STUMP].

Mr. STUMP. Mr. Speaker, I rise today in unwavering opposition to the crime bill, or should I say social welfare package.

Supporters of this bill seem to believe that our crime problems can be solved by increased social spending, leniency, and disarming law abiding citizens. I disagree. Whatever happened to deterrence? Whatever happened to actually carrying out severe penalties for those who commit heinous crimes? None of these elements can be found in the bill we are considering today.

Instead, we are handing the American people a plan that will do nothing but waste their hard-earned tax dollars on programs that not only fail to deter crime, but actually encourage youths to stay on the streets when they should be in their homes. Of course, I am referring to the ever-popular \$40 million midnight basketball program. Although that particular provision has peaked the public's interest, it is certainly not the most egregious provision in the bill. For instance, some lawmakers feel that the answer to crime is more social workers. My guess is that most Americans will not feel safer knowing that for every police officer this bill funds, two social workers will be placed on the streets. I am confident that they will not feel safer knowing that this bill will most likely result in the release of thousands of convicts.

Mr. Speaker, let us be realistic. What Americans want is a commonsense approach to crime prevention. We cannot hand them a \$30 billion election-year gimmick. They are smarter than that and deserve better. I urge my colleagues to vote against this bill.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the Commonwealth of Virginia [Mr. GOODLATTE].

Mr. GOODLATTE. Mr. Speaker, when the President talks about fighting crime, he sounds like Dirty Harry, but his crime bill looks like Barney Fife.

Overall this crime bill includes almost \$1.5 billion for cultural health classes, dance programs, cultural sensitivity instruction, counseling services, self-esteem training, and midnight basketball. With the pork-barrel spending included in this bill we could put 360,000 more criminals behind bars. How can we support this bill when the Nation's top law enforcement official, President Clinton's hand-picked crime-fighter, FBI Director Louis Freeh, in a



moment of candor when he was outside the Beltway told how this bill will cause drastic reductions in the number of FBI agents.

Mr. Speaker, I urge my colleagues to reject this bill, send it back to conference, and let us come back with a bill that truly does fight crime.

Mr. DERRICK. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California [Ms. ESHOO].

Ms. ESHOO. Mr. Speaker, I rise in unwavering support of the rule and the bill.

Mr. Speaker, as Members of the House, we know the cost of crime in our districts. We see the cost in broken homes, broken bodies, the emotional and physical trauma of our citizens.

We were sent here to pass laws that will fight crime effectively. This bill has more police, more prisons, more prevention, and tougher penalties.

Do not let politics, partisanship, or political action money dictate your decision on this.

Our constituents need our help. Look into your hearts. Look into the eyes of your constituents on this issue. This bill is right. It is overdue. It is necessary.

I urge my colleagues to place the public welfare above politics and pass this rule that will allow final passage of the crime bill.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 30 seconds to the gentlewoman from Utah [Ms. SHEPHERD].

Ms. SHEPHERD. Mr. Speaker, last week, a young man was shot and killed in Salt Lake County while standing in the parking lot of an apartment complex—another victim of a drive-by shooting. The perpetrator was a 16-year-old with 88 previous violations.

We need to put monsters like this away permanently and we have to stop making monsters. This crime bill does both. It is both tough and smart.

A vote against this rule is a vote against the people of Salt Lake who are waiting for us to act. I urge the House to pass the rule.

Mr. Speaker, the family of the man shot down in Salt Lake County last week is counting on us. Let us adopt the rule, pass the crime bill, and finally stem the rising tide of violence in America.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to my friend, the distinguished gentleman from the Ocean State, Rhode Island [Mr. MACHTLEY].

Mr. MACHTLEY. Mr. Speaker, I rise in opposition to the rule and conference report on the crime bill. This bill is more expensive and weaker than the House-passed bill that I voted for in April. Most Americans will agree that we need a good Crime Bill, not just any crime bill. Today, we're voting on a cop-out bill which no longer reflects many of the key crime-fighting aims of either the House or Senate-passed bills.

Mr. Speaker, after the House passed its version of the crime bill this past spring, I had hoped that the House-Senate conferees would

pare down a number of noncrime social spending programs. Instead, the conferees provided more than \$9 billion for social spending programs, while increasing the overall price tag of the bill from \$28 billion to \$33 billion. We, as a Congress, must not only make sure our law enforcement personnel have adequate resources, but we must also prevent taxpayers' dollars from being wasted. The increase of \$5 billion in the conference report is a lot of money. We need more crime prevention programs, but not at the expense of putting more police on the street.

Included in this bill's social spending package are \$40 million for midnight sports, \$895 million for model intensive grants, and \$100 million for "Ounce of Prevention." Also added was a \$630 million program not included in the House bill called "child-centered activities" which funds things such as arts and crafts, dance programs, and recreational provisions and supplies. While many of these programs may have merit, the purpose of this bill is supposed to be to fight crime. We owe it to the American people to be honest about what exactly is in this bill, not to load it up with additional spending cloaked misleadingly as crime-fighting measures.

Importantly, this crime bill also significantly watered down the strong, bipartisan truth-in-sentencing provisions of the House-passed bill that were agreed to on the House floor. These provisions would have conditioned Federal prison funding to States and localities on criminals serving at least 85 percent of their sentences. The conference agreement contains a loophole in which States can avoid this incentive. We can all agree that early release of prisoners is one of the most pressing law enforcement problems that demands serious reform. I commend to all of my colleagues a recent speech by Princeton University Prof. John Dilulio, in which he clearly outlines the magnitude of this problem.

I am also troubled that this bill has reduced total prison funding from \$14.1 billion in the House-passed bill down to \$8.3 billion. At a time when violent prisoners in America serve an average of 37 percent of their sentences—often due to overcrowded prisons—we simply must find more space to incarcerate these criminals.

There are many other problems with the crime bill that we can and should fix before passing this measure into law. For example, the conferees rejected the House-passed so-called Gekas provisions which strengthened death penalty judicial procedures. And while they also agreed to a provision to allow prosecution of juveniles 13 and older as adults, the bill makes this provision voluntary, rather than the stronger mandatory provision of the Senate bill.

Mr. Speaker, I would like to submit for the RECORD a recent Wall Street Journal essay as well as a copy of Professor Dilulio's speech which present arguments in support of a no vote on this rule and conference report. The failure of this bill to effectively address the problem of violent crime has called into question whether we will be able to pass this crime bill at all. I don't see why we don't go back to the table, clean this bill up, and bring back something we can all be proud to vote for.

PRINCETON UNIVERSITY AND THE BROOKINGS INSTITUTION AT A FORUM—WHY THE GOP IS RIGHT TO OPPOSE THE CRIME BILL AND WHERE TO GO FROM HERE

Mr. DIULIO. Thank you, Bill. I'm glad to be here, not only as a card-carrying Democrat but also as someone who has somewhat reluctantly and begrudgingly come to the conclusion that this crime bill ought to be scrapped.

Let me begin by saying I think there are some very good things in this crime bill, just as there were many good things in each of the major pieces of federal anti-crime legislation that were passed over the last 10 years. I'm talking here about the Comprehensive Crime Control Act of '84 which established the sentencing guidelines, the anti-drug abuse acts of '86 and '88, the Crime Control Act of 1990 and the Brady bill of 1993. And as I mentioned, the Brady bill may indicate, not among those who would oppose this crime bill because it fosters further federal restrictions on guns, in particular on certain types of assault weapons, I think that its provisions are wise.

By the same token, I wouldn't number myself among those who oppose this bill because it contains billions and billions of dollars for social programs. There is a fair amount of silly business in this bill on that side. Midnight basketball may be silly business. But prison-based drug treatment is not. And so there's a mixed bag there.

Finally, I wouldn't count myself among those who oppose the bill because of the flaws, the limitations in its more sensible or well-intentioned provisions. It's easy to deconstruct, if you will, the community policing provisions of this bill. The bill calls for 100,000 new cops. But when you read the relevant titles of the bill, what you will discover is that that really means about 20,000 fully funded positions.

And when you further look at how this bill is to be administered, you come to recognize that it's to be administered by the Office of Justice Programs, which is the alphabet soup of agencies left over from the days of the old Federal Law Enforcement Assistance Administration, which is to figure out some way of divvying up this money between 85 percent for more manpower, 15 percent for everything else having to do with policing, so much to jurisdictions under 150,000, so much to jurisdictions over 150,000, and so on.

And if you're stouthearted enough to look at this bill in light of the relevant academic literature, you know that it takes about 10 police officers to put the equivalent of one police officer on the streets around the clock. This is factoring in everything from sick leave and disabilities to vacations and three shifts a day and desk work and so on. So that 20,000 funded positions becomes 2,000 around-the-clock cops. And 2,000 around-the-clock cops gets distributed over at least 200 jurisdictions for an average actual street enforcement strength increase of about 10 cops per city.

Moreover, you learn, when you look at the relevant titles, that these positions are not really even fully funded. The money is really seed money that will run out rather quickly. And I suppose that those big-city mayors, Democrat and Republican, who are supporting the bill simply believe that in the out years the federal government will belly up to this bar again and put up more funds.

Nevertheless, I think the community policing provisions of the bill, represent tiny, perhaps faltering but tiny steps in the right direction. Why, then, should the GOP or responsible legislators of both parties or concerned citizens generally oppose this bill?

My answer is that, in the analysis, this bill, warts, beauty marks and all, simply costs far too much, is much too complicated, contains way too many untested and unwise provisions. It will do nothing, in my view, to reduce the country's crime problem. In fact, as I'll suggest in a moment, it may actually add to it. The bill is not, as the President, I think, likes to say with sincerity, smart and tough. I think rather it is, taken all in all, rather dim-witted and weak.

There are at least four specific realities about crime in this country that this bill does little or nothing to address, or addresses perversely: Revolving-door justice, the youth crime bomb, the black crime gap, and the real root causes of crime. Now, I am going to try to do the impossible—my Princeton students would not believe it—and stay within my 15 minutes. So I will say as much as I can on each of these scores before turning it over to my colleagues on the panel.

First, let me talk about revolving-door justice. Every major public opinion survey shows that the public has lost confidence in the ability of the justice system to arrest and detain and convict and punish violent and repeat criminals. From a number of recent studies published by Brookings and other institutions, it's clear that the facts and figures support the public's frustrations and fears on crime.

Let me offer just a little bit of the evidence, and I stress a little bit of the evidence, on revolving-door justice. Sixty-five percent of felony defendants are released prior to trial. That includes 63 percent of all violent felony defendants. Now, what happens to them when they're out on the streets? Well, nearly a quarter of them simply never show up in court, for starters. All 11 percent of murder arrestees and about 12 percent of all violent crime arrestees are on pretrial release for an earlier case at the time of the offense. Over 20 percent have 10 or more prior arrests. Over 35 percent have one or more prior convictions.

Case management, which is a bureaucratic euphemism for plea bargaining, means that over 90 percent of all criminal cases today do not go to court because the offender pleads guilty to a lesser charge. That's true as well for violent offenses. Only 44 percent of murder cases go to trial, 23 percent of rape cases, 15 percent of aggravated assault cases.

Now, we hear a lot about the explosion in the prison population, and it's true that the nation's prison population, federal and state, has increased dramatically over the last 15 years. But it's also true that the probation and parole population has increased even faster. Today you have about four and a half million persons under correctional supervision in this country—four and a half million. Three and a half million of them, roughly, are not incarcerated. Rather, they're under the supervision of probation and parole officers who are handling hundreds of cases and really can't provide effective supervision.

What happens in these cases? Well, a disproportionate number of the three and a half million in probationers and parolees out there circulate in and out of poor minority urban neighborhoods, repeatedly victimizing their truly disadvantaged neighbors. We have data on recidivism that could—probably books and volumes that could fill this room. But just to cite a few of the statistics, within three years of sentencing we know that nearly half of all probationers are placed behind bars for a new crime or abscond.

We know that for parole, the tale is very much the same. If you look on a state-by-state basis, you find, for example, that in Florida between 1987 and 1991 you had over 100,000 prisoners released only. At points in time when they would have been incarcerated were they not released early, these offenders committed over 26,000 new crimes, including some nearly 5,000 new crimes of violence, including 346 murders.

Now, what else do we know about probationers and parolees? Well, we know that with respect to violent crimes, violent crime arrests, 16 percent of violent crime arrestees are on probation and 7 percent are on parole. Now, if you take those two numbers and you add it to a number I gave earlier—that is, 12 percent of violent crime arrestees on pretrial release—you're left with a rather amazing number, that 35 percent of all violent crime arrestees have some criminal justice status at the time of the offense; that is, over a third of all violent crime arrestees are ostensibly in criminal custody at the time of the offense. Now, if that is not revolving-door justice, I don't know what is.

The Senate version of the crime bill that was drafted and put out back in November—November 19th, 1993, to be exact, by a vote of 95 to 4—would, I think, have done something, though I'm not sure exactly how much, to stop revolving-door justice. But now, almost nine months later, we have before us a crime bill that would actually, in my view, grease the revolving door, at the federal level, at least, via such provisions as the so-called safety valve provision, which is essentially a provision that would permit certain categories of convicted drug defendants to be invited back to court, to be given a virtual retrial under a retroactive law.

About 5,000 prisoners would be immediately eligible for this provision and they could get sentence reductions of as much as half or more in some cases of their sentences. Also, the language of the safety valve is quite elastic. I would not be surprised, if this bill passes with this provision, to see the safety valve provision applied to all of the 16,000 or so so-called low-level drug offenders in the federal prison system.

Now, interestingly, the safety valve idea has been supported by a number of Republicans as well as Democrats, including a number of conservative Republicans. And I think I know where they're coming from. I don't think anyone would believe that the federal sentencing structure is perfect. There are lots of sentences, especially, I would say, for drug offenders that are overly harsh. And I myself have taken an interest in some such cases, up to and including joining the clemency petition of one federal inmate who's serving time for a nonviolent first-time drug offense.

But what I would like to point out is that the utterly false argument behind the safety valve provision, and other provisions in this bill like it, is that many, if not most, prisoners are petty first-time offenders with few previous arrests, no previous convictions and no history of violence. The facts, which have been painstakingly put together by the U.S. Bureau of Justice Statistics and by other research organizations and widely published, speak in exactly the opposite voice.

Let me just give you a few of the facts. In 1991, fully 94 percent of state prison inmates had been convicted of a violent crime or had a previous sentence to probation or incarceration. In other words, only 6 percent of state prisoners were nonviolent offenders with no prior sentence to probation or incarceration. Nearly half were serving time for a violent

crime and a third had been convicted in the past of one or more violent crimes.

If you look at the state data, you get the same picture. In New Jersey, where I spend a lot of my time, you had in 1992 a prison population in which about half of all prisoners were serving time for a violent crime. Eighty percent had criminal histories involving violence. The average prisoner had nine prior arrests, six prior convictions and so on.

Now, it is true that the federal prison system, compared to the state systems, of most state systems, has relatively fewer violent criminals and more property and drug offenders. But of the 35,000 persons newly admitted to federal prison in 1991, only 2 percent, or about 700, were convicted of mere drug possession. And even in the federal prison system, about half of all prisoners had two or more prior felony convictions and over half of all prisoners in federal penitentiaries had a history of violence.

So one has to understand as well that even these numbers, as depressing as they are, understate the actual amount and severity of crime committed by prisoners when free. For one thing, they don't take into account the effects of plea bargaining. People who may present themselves as first-time nonviolent drug offenders may, in fact, be plea-bargained or violent and repeat offenders.

Second, these numbers don't account for the wholly undetected, unpunished, unprosecuted crimes committed by prisoners when free. There have been a number of large scientific studies, prisoner self-report studies, that have tried to get a handle on this question. And the two most recent such studies indicate that in the year prior to incarceration, the typical prisoner commits a dozen serious crimes a year, violent and property crimes, excluding all drug crimes.

And finally, which brings me quickly, I hope, to my next point, these numbers do not reflect the number of crimes committed by prisoners when they were juveniles. We know that nationally juveniles account for about one-fifth of all weapons offenses. They've committed record numbers of murders in the last several years, several thousand murders a year. Today's high-rate juvenile offenders are tomorrow's adult prisoners, but today's adult criminal records don't comprehend yesterday's slew of juvenile crimes.

America is facing a ticking youth crime bomb. We have burgeoning numbers of young people who, from all the statistical profiles, are at risk of becoming violent and repeat criminals. The rate of growth in serious youth crime among white teenagers now exceeds the rate of growth in serious youth crimes among black and Hispanic teenagers. Now, given this reality, you might think that this bill would address the problem of juvenile crime in a serious way. But I would submit to you that it does not, not even symbolically.

Let me just quickly mention the third overarching reality which I think this bill ignores, and that is what I would call the black crime gap. Most Americans, most people in this room, are safer today than they were three or four years ago. Crime rates nationally in most categories of crime have dipped down, but not so for black, Hispanic, poor minority inner-city Americans.

In 1992, which is the last year for which we have complete data, the violent crime victimization rate for blacks was the highest ever recorded. You have lots of opinion surveys and polls which show that black Americans find crime as truly the number one issue in their neighborhoods, a majority of black school children afraid to go to and



from school, a majority of black school children afraid, believe that they will be shot at some point in their lives.

Now, given this reality, you might think there'd be something in this massive crime bill that would address this problem. Instead, Congress spent a lot of time debating, wasting time with the so-called Racial Justice Act. And without getting into that, at least not getting into it now, we just need to remember that the vast majority of crimes in this country are intraracial. Over 80 percent of all violent crime is intraracial. And we have a series of studies that, at a minimum, throw into serious doubt the issue of whether, in fact, there are racial disparities in sentencing even in capital cases.

Well, this bill, of course contains no racial justice provision. But the logic of that provision, I think, informs other provisions of the bill. It informs, I think, a diagnosis in the bill of the root causes of crime, which talk about things like unemployment and so on. Never mind that we now have studies which suggest that that factor is not important. Never mind the basic fact that most prisoners in the year or two prior to incarceration held a job that paid minimum wage or better. This is the diagnosis of root causes in this bill.

Well, where to go from here? To be brief, in closing, I would say that—I would hope that this bill would be scrapped, that Congress would come back in a new legislative season and take another crack at it; in other words, go back to the drawing board, but I would hope not one great big drawing board with \$30 plus billion worth of talk, but rather a series of little drawing boards—a prison bill, a cops' bill, if you must, a midnight basketball bill, a prison drug treatment bill. And let's debate the merits and let's have our legislators debate the merits and vote on the merits of each provision separately.

My fonder hope, one that only an academic could bear to speak in a forum such as this, is that Congress would declare a moratorium on federal crime legislation. There is a provision in this bill for a crime commission, a bipartisan commission to study crime. I think it would be much better to have a bipartisan commission that would look at the evolution of the federal government's role in crime control, particularly since 1968, and ask the tough questions of what, in fact, has been wrought by the federal government's involvement in making, administering and funding foreign policy, and ask the tough question whether this bill or any conceivable federal crime bill could actually do much to protect the public and its purse better than they're protected by existing policies.

I'll stop there, Bill. [Applause.]

[From the Wall St. Journal, August 10, 1994]  
REVIEW AND OUTLOOK—CLINTON REPUBLICANS

President Clinton and his Democrats are down in the polls, but that doesn't mean Americans are clamoring to elect Republicans. Maybe that's because they dislike the kind of political backflip that House Republicans are about to do to save what is being advertised as a "crime" bill.

This \$33 billion monstrosity has been bogged down in the House by rank-in-file Members of both parties who object to one or another provision. Republicans claim to oppose needless spending and phony anticrime measures, both of which have come to dominate this bill. But instead of uniting to let the bill die of its own absurd weight, as many as 10 or 20 Republicans are rushing to give Speaker Foley and the Democratic leadership a political victory. Does anyone still

wonder why House Republicans haven't won a majority since Stalin ruled the Soviet Union?

"How can you vote this down?" asks New Jersey's Marge Roukema, thus demonstrating the solid principles behind her bailout. New Yorker Sherwood Boehlert admits he wants to throw some money around to the cities. And Connecticut's Christopher Shays, who calls himself a Congressional reformer, somehow doesn't object to one of the biggest federal spending boondoggles in 20 years.

These and other me-too Republicans are falling for the line that because Americans are concerned about crime they'll swallow any bill with that label. Democratic leaders believe this, which is why they've changed what started as a crime bill into what now looks more like last year's failed fiscal "stimulus" proposal.

There's \$1.8 billion for something called the Local Partnership Act, which was originally sponsored by Detroit Democrat John Conyers. Congress merely asserts that this big-city payoff for education, "jobs" and just about anything else will somehow also fight crime. There's \$40 million for "midnight sports," an idea that makes some sense when it springs naturally from volunteers in a community. But this federal giveaway will now politicize each sports league—for example, by requiring that a community that wants funds for such sports have a high incidence of HIV infection. We could go on and on—to the tune of some \$10 billion.

Yet even Ohio Republican John Kasich, ostensible scourge of pork, says he'll vote for this mess on the House floor. "We need to spend money in urban areas. There is some money in the bill I don't like," Mr. Kasich told us. "But people want something done" about crime.

Indeed they do, which is why John DiIulio and a growing number of principled Members of both parties now oppose this bill. Readers of this page know Mr. DiIulio, of Princeton University and the Brookings Institution, as one of the country's more hard-headed students of crime. He's also a Democrat who supported the crime bill as it emerged from the Senate last year but now says it "ought to be scrapped." The bill "will do nothing to reduce the country's crime problem," he told the Project for the Republican Future this week. "It may actually add to it."

While Mr. Clinton claims the bill would put 100,000 more cops on the street, Mr. DiIulio says, it actually pays for only 20,000. Figure in the requisite pork-barrel distribution to hundreds of cities, and each city will get about ten more cops. So much for saturation policing for high-crime areas.

The bill weakens the "three strikes and you're out" provision so that it will cover only some 300 to 400 (out of thousands of) violent federal criminals a year. It also includes a loophole that guts its juvenile justice provisions, "at a time when we have a youth crime problem that is off the charts," Mr. DiIulio says. And, maybe worst of all, the bill adds to the problem of "revolving door justice" that the public so dislikes. It does this by allowing certain drug defendants to go back to court for a virtual retrial that would let them evade mandatory sentences.

Americans are cynical about politics because they think politicians tell them one thing and do another. This crime bill will only increase that cynicism once voters understand that it has more to do with reelecting incumbents than it does with crime. As the party in power, Democrats who want something to run on in November are eager

to pass it. Mr. Clinton, desperate for any "success," has climbed on for the ride.

But we can't begin to understand why Republicans would want to make this a bipartisan boondoggle. "It's clearly not a perfect bill," admits Mr. Kasich, who vows to fix it in future years when there are more Republicans in the House. But why should voters elect more Republicans if they're not willing to resist a bad bill in the first place?

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Speaker, I thank my friend, the gentleman from Florida for yielding me the time.

Mr. Speaker, I rise to strongly oppose the rule.

The Clinton crime bill should not be enacted in its current form. Instead, it should be incarcerated for mugging the American taxpayer and for murdering the truth so many times that it qualifies as a serial killer.

This legislation is larded and laced with billions of dollars in misplaced social spending. In fact, there is more money for social programs than for prison construction.

Over \$9 billion is included for vague social spending to finance such stringent anticrime measures as arts and crafts, self-esteem enhancement, dance, and midnight basketball. All this on the theory that the person who stole your car, robbed your house, and assaulted your family was no more than a disgruntled artist or would-be NBA star.

Even worse than the money this bill throws away, is the opportunity it discards to do something serious about crime.

Crime is America's primary concern. This bill makes clear it is not the administration's. I urge a defeat of the rule so we can send this bill back to conference with the message America is sending: Be tougher on criminals than they are on us.

Mr. DERRICK. Mr. Speaker, for purposes of debate only I yield 30 seconds to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Speaker, last year all six women who were murdered in the State of Vermont were killed by their spouses and partners and hundreds more were battered. Domestic violence exists in epidemic proportions throughout this country. This legislation provides \$8 million for my small State of Vermont to combat violence against women and \$1.8 billion nationally. This is money that is long overdue.

Mr. Speaker, let us stand up for battered women, stand up for social justice, and while this is a far from perfect bill, it is a major step forward. Let us support the rule.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Speaker, I rise in opposition to the rule, and point out

that the top law enforcement officer in this country, the Director of the FBI, has serious concerns about this legislation.

Mr. Speaker, there are a variety of reasons to oppose the conference report on the so-called Violent Crime Control Act of 1994, but allow me to enumerate just a few of the most important ones:

(1) In terms of the dollars we can realistically expect to be appropriated, there is more social spending than law enforcement spending in the bill—over \$9 billion worth;

(2) The dollars that will be spent under the bill will go disproportionately to the handful of big-city mayors, at the expense of rural districts such as mine;

(3) The bill lacks exclusionary rule reform;

(4) The bill lacks mandatory victims restitution;

(5) The bill lacks real habeas corpus reform;

(6) The dollars authorized for prison construction are not fully funded;

(7) The bill's provision for training new F.B.I. and D.E.A. agents are utterly inadequate; and

(8) The bill's provisions on "three strikes and you're out" and truth-in-sentencing were weakened in conference to the point of meaninglessness.

Mr. Speaker, this bill isn't tough on criminals. It is only tough on taxpayers.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Jersey [Mr. ZIMMER].

Mr. ZIMMER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, in March of this year, 6-year-old Amanda Wengert of Manalapan Township, NJ, was kidnapped from her home and brutally killed by her next door neighbor who no one in the neighborhood knew had twice been convicted of sexually assaulting children in the past.

Just 2 weeks ago, 7-year-old Megan Kanka of Hamilton Square, NJ, was invited to visit her neighbors—who lived right across the street from her. One of them had a new puppy he wanted to show her, he said.

She was raped and brutally murdered. Her parents didn't know that this man had twice been convicted of similar crimes or that he was living with two other men who were also convicted sex offenders.

I believe that Amanda and Megan would be alive today if their parents knew that predators lived in their neighborhood.

We in this House and the Members of the Senate have voted overwhelmingly in favor of effective community notification legislation that would have accomplished this very simple objective. But, when the legislation came to the conference committee, a small number of conferees arrogated to themselves the right to water down and strip this legislation of its original content. Now the section that was originally captioned "Community Notification" is captioned instead "Privacy of Data."

That means that the rights of predators are being put above the rights of

their potential victims. Vote to kill this rule and let's open up this legislation so we can protect young lives in the future.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 30 seconds to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN. Mr. Speaker, Members who represent suburban districts have greater reason than ever to vote for this rule. Suburban communities like mine work together through regional task forces to target crimes that often cross municipal lines. The crime bill now contains language that I proposed so that the cops-on-the-beat provision can be used to support regional task forces in the fight against drugs, auto theft, violent criminals, and youthful offenders.

Support our suburban police in their fight against crime. Vote for the rule and the bill.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Illinois [Mr. PORTER].

Mr. PORTER asked and was given permission to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, I rise in opposition to the rule.

Mr. Speaker, I cannot vote for this rule allowing consideration of the crime bill because the billions of dollars of new, unjustified, and unfunded social spending in this bill outweighs its benefits.

The proposed trust fund would effectively divert funds intended for deficit reduction toward new spending and would prevent increased support for existing and underfunded worthy programs such as Head Start, biomedical research, impact aid, and special education.

In order to meet the bills' goal of hiring 100,000 new police officers, State and local governments would be expected to spend as much as \$33 billion in matching funds, which is, in effect, yet another unfunded mandate.

This decision is a difficult one for me because the legislation contains many provisions I favor including the ban on assault weapons which I voted for and watched for earlier this year. I have strongly supported reasonable gun control measures, but if the price of enacting this is to support a vast expansion of costly and unnecessary Government programs, then my vote must be no.

If this bill is sent back to conference, I will vigorously oppose efforts to remove the assault weapons ban. The majority party conferees will then have to decide which is more important to them—an assault weapons ban or billions for new social programs.

My first and highest priority has always been to restrain Government spending and growth and get deficits under control. It is unfortunate that this bill goes in the exact opposite direction. I am opposed to taking all the savings that were to be derived from downsizing the Government and plowing them right back into 30 new social programs, most of which have never been debated in Congress and all of which duplicate existing efforts.

The Senate's original \$5.9 billion bill has snowballed into a \$33.3 billion bill that is attempted to be justified by the creation of a so-called crime trust fund funded by planned reductions in the Federal work force.

But savings from Federal work force reductions will not be sufficient to fund this trust. Any savings from downsizing have already been spent, in effect, to reduce spending to accommodate the freeze Congress imposed on the appropriations this year.

This trust fund for crime programs will, however, reduce the caps on all other discretionary spending. Every category of Federal spending will have to decrease to allow for the trust fund. This means an added strain on already underfunded existing, worthy programs such as Head Start, impact aid, special education, and biomedical research.

And yet, the trust fund will not do what it claims to do—to ensure that the crime programs will be funded. Appropriators will still have to approve spending through the annual appropriations bills. The trust fund is simply an accounting device that maintains that if appropriators do not fully fund the programs authorized in this bill, they may not use the funding to supplement other priorities.

In addition, the trust fund claims to pay only for \$30.2 billion of the crime bill. But the bill also authorizes about \$3 billion in spending, most of which would be used for prison construction grants, that does not fall under the trust fund. There is not even an attempt to account for this \$3 billion of additional Federal spending.

The bill also authorizes at least \$8.7 billion in new social spending, while, according to the Government Accounting Office, there are already seven Federal departments sponsoring 266 prevention programs to serve delinquent or at-risk youth. The GAO found a "massive Federal effort on behalf of troubled youth" which already costs over \$3 billion a year. The crime bill creates 30 new social programs which will duplicate at least 50 existing federally funded programs. We simply cannot tolerate nor afford this kind of irresponsible spending.

Mr. Speaker, this rule and the underlying bill is a disgrace to this Nation, and I cannot support it.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Missouri [Mr. VOLKMER].

Mr. STENHOLM. Mr. Speaker, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Texas.

Mr. STENHOLM. Mr. Speaker, I rise in strong opposition to the rule and the bill.

From the information I have been able to gather, I believe there are some serious flaws in this bill. First and foremost, we simply cannot afford this bill. With our budget deficit at \$220 billion and national debt at \$4.6 trillion we cannot afford a \$33.2 billion bill which includes over \$8 billion of spending on social welfare programs such as midnight basketball and afterschool arts and crafts. I am aware of a few questionable projects and would be willing to bet there are a few more tucked into this 1,000 page bill. Unfortunately, I cannot identify these for you specifically because as



of this morning, I could not obtain a copy of the conference report.

This bill is to be funded through the violent crime reduction trust fund. While this might sound good, this trust fund is based on anticipated savings. We are anticipating that the Federal Government will save \$30.2 billion from the Federal Workforce Reduction Act. This savings estimate is questionable given the fact that we have begun to exempt Government agencies from the Federal Workforce Reduction Act. This bill has a \$33.2 billion price tag. We are going on the assumption that the trust fund will provide \$30.2 billion. According to my math, at a minimum that still leaves \$3 billion we need to come up with. Beyond that, however, what happens if these anticipated savings are not realized? Where will the money come from?

We need to remember that 96 percent of crimes are State offenses, only 4 percent are Federal. What I have been hearing from the law enforcement folks back in the 17th District is that they appreciate us addressing the issue of crime, but that the package before us today does not include the right mix of crime prevention programs they need at the State and local level.

Furthermore, the programs funded in the crime bill, including the 100,000 additional police officers, will only be funded for six years. After that, the financial burden will be on State and local officials. If we pass this bill, we will be creating more unfunded programs that our State and local folks don't want.

Today, there are about 4.5 million persons under correctional supervision in this country. Roughly 3.5 million of them are not incarcerated. They are under the supervision of probation and parole officers who are handling hundreds of cases and really can't provide effective supervision. Over one-third of all violent crime arrestees are ostensibly in criminal custody at the time of the offense. If that is not revolving-door justice, I don't know what is. It is no wonder that many Americans have lost confidence in the ability of the justice system to arrest and punish violent and repeat criminals.

What is truly amazing is that not only does the crime bill we are considering today not address revolving-door justice, it actually greases the revolving door.

For example, the safety valve provision would give Federal judges the discretion to waive mandatory minimum penalties for first-time nonviolent drug offenders. This provision allows a judge to apply these provisions retroactively. Essentially, this means certain categories of convicted drug defendants would be invited back to court and given a retrial under retroactive law. About 5,000 prisoners would be eligible immediately to get sentence reductions of as much as half of their sentences. In addition, the language of this provision is quite elastic and it could end up applying to all of the 16,000 so-called low-level drug offenders in the Federal prison system. This is a perfect example of how this crime bill does not address crime from the right direction.

Finally, I cannot support the assault weapon ban. There are 19 specific weapons identified in the ban, but the Bureau of Alcohol, Tobacco and Firearms has already identified over 150 weapons they will add to the list of prohibited

guns if the ban is passed. Opening the door further to this sort of government by unelected bureaucrat shatters my confidence that the second constitutional amendment actually will be protected in the future.

This bill spends too much money and proposes to fund too many questionable programs. I strongly urge my colleagues to oppose the rule and H.R. 3355.

□ 1620

Mr. HALL of Texas. Mr. Speaker, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Texas.

Mr. HALL of Texas. Mr. Speaker, I rise in opposition to the rule and consideration of the crime bill conference report.

Mr. Speaker, I rise today to express my opposition to a provision of the crime bill conference report. In an attempt to insure that violent offenders serve longer terms, the bill allows nonviolent drug offenders to be released early so that other prisoners can be jailed.

I agree that violent offenders should be put in jail. But I also believe that drug offenders should be put in jail. By letting drug offenders go, we are sending two bad messages to the American public, and to our young people in particular.

First, by giving drug offenders special treatment we are saying that drug offenses are not as harmful to society as white collar crimes. And I ask you, who is worse, the white collar criminal or the guy who sells drugs to our schoolchildren? We must not cater to drug offenders. If we are to have early releases, what about elderly, nonviolent, non-drug-related prisoners who have served a good portion of their sentences and are not likely to be repeat offenders?

Second, we are saying that doing drugs in general is bad—until we need more prison space, and then it is not so bad. But it is wrong to do drugs. Drugs are harmful. Drugs are dangerous. Drugs destroy the minds of our young people. No matter how crowded our prisons are, drugs are wrong.

We need to prevent people from doing drugs. And if we can't, we need to punish drug offenders. We do not need to release drug offenders, and we do not need to give them preferential treatment. By reducing mandatory minimum penalties for non-violent drug offenders we are not only sending criminals back onto the streets, we are sending the wrong message about drug usage and the severity of it.

I know that Mr. BROOKS and the other members of the conference committee have worked long and hard to craft a good bill. But this provision, among others, needs to be deleted or refined so that we can vote on a bill that really gets tough on crime—all types of crime, illegal drug usage included.

With this in mind, I rise to oppose the rule allowing consideration of the crime bill conference report. I urge a vote against the rule so that we can send the bill back to conference.

Mr. VOLKMER. Mr. Speaker, first I want to say I commend the gentleman from Texas [Mr. BROOKS] for the work that he has done on this crime legisla-

tion. But I feel that I have to vote against the rule, and if the rule passes I am going to have to vote against the bill for various reasons.

I want to make it clear in here, in listening to both sides, it appears that maybe somebody on this side is not for fighting crime and some people on that side are really not for fighting crime. I do not know anyone in this House that is not for fighting crime. We have a disagreement as to how we should fight that crime.

I think it misleads the Members of the House also to say if this rule goes down they will never see a crime bill. Wait a minute, folks. We are going to be here to the middle of October or later. We have plenty of time to work up a crime bill that all of us could support. All of us want to support a crime bill. There is not any Member here that does not want to support a crime bill.

For that reason, I am going to vote against the rule, and hopefully, with my friend from Texas and others, we can have a crime bill that we can all support.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1 minute to the distinguished gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I disagree with my colleague who just spoke before me. There are Members in this House who do not want the President to have a crime bill, and I have never seen such arm twisting on that side of the aisle to deny him that agenda. That is what it is all about, folks.

I have listened to the description about the sexual predators. Let me say, my friends, read it, read it. It is broader than when it left the House, and it is smarter than when it left the House. The Senate version which some brag on was a very narrow definition of a sexual predator dealing with those with mental abnormalities, and it required a court adjudication. In this time bill we have registry for sexual offenders against children, and in addition to that notification by the chief law enforcement officer, and Members should read that. It is just nonsense.

What this is all about is not about a procedural vote. A vote against the rule is a vote against the crime bill. We are not going to fool the American public. It is a vote against the crime bill. They are trying to kill the crime bill.

It is about guns among colleagues on this side and that side, and an agenda on this side that does not include a crime bill.

I urge my colleagues to support the rule.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Mr. Speaker, I rise in opposition to the rule.

Mr. Speaker, I rise to unmask an injustice that is about to be thrust upon the American people. The so-called crime bill we are debating today picks the pockets of taxpayers, while befriending criminals who should be locked up behind bars. I truly want an anti-crime initiative—we need one desperately—but this is not the right way to go about it because many of these provisions just don't make sense.

The onerous gun ban is a perfect example. We all should know by now that guns don't kill people—people kill people. If you truly want to get at those who use guns to commit crimes—which I think we all want to do—then we should impose stiff penalties on gun-related crimes. But no, the liberals who crafted this weak legislation want to go about it in a cosmetic way by including a gun ban that disarms law-abiding citizens.

Let me make myself clear, a criminal intent on committing a crime doesn't care if Washington says you can't buy a particular type of weapon or you'll have to wait 5 days to do so. He or she will utilize their underworld sources to get their hands on those weapons, go out and commit a crime. Stiffer penalties, at least, will take these hoods and thugs off the streets and put them behind bars so they can't do it again.

I also want to register my opposition to the very questionable social spending contained in this measure. As we have already heard here today, \$9 billion of the \$33 billion package is earmarked for new social programs, such as community arts and crafts, midnight basketball leagues, job training, and addiction rehabilitation. These ideas in social experimentation are not without merit in theory; the question is, however, how much can the taxpayer afford to fund?

Further, these programs have little or nothing to do with fighting crime and a lot more to do with the President winning favor with big city mayors and the liberals in this Congress. Speaking for my constituents in southern Missouri, little of this money, if any, is headed for the streets of Caruthersville, Sikeston, West Plains, Rolla, Cape Girardeau, Park Hills, Poplar Bluff, or any other small, rural community—it is wired for Los Angeles, Chicago, and New York.

Finally, I'm concerned about the \$8.8 billion being spent over the next 6 years to supposedly add 100,000 cops on the beat. I would support this if it were true, but even this is short of its goal. In reality, this money will only equal a little more than 20,000 new officers—one-fifth of what the President and liberals have claimed. Imagine that, another broken promise. Further disconcerting, when this funding runs out, States and local communities will be strapped with paying the salaries and pensions of these new crime fighters that the feds have given them.

Mr. Speaker, instead of wastefully spending the taxpayers hard-earned dollars, let's take off the masks and see this so-called crime bill for what it really is—a Christmas tree full of social spending ornaments and short-sighted promises. The American people deserve legislation that's tough on crime, rather than a political payoff that's friendly to felons. I urge my colleagues to vote "no" on the rule; send it back to the conference committee; and, take another shot at achieving a true anti-crime initiative.

Mr. GOSS. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, I would like to give Members an idea of how bad this bill is. My office received a call from a psychologist in my district whose programs stand to gain financially from the vast spending in this bill. That person called to complain about the \$33 billion price tag, the lack of enforcement provisions, and the perverse priorities and incentives in this bill.

This is the true voice of the people. This bill barely mentions victims, but it lavishes billions on criminals.

Let me explain. For 30 years in this country we have been funding social programs aimed at criminal problems. We have spent \$5 trillion in 30 years doing that, and the crime rate has gone up 500 percent. It does not work that way, and the American people want us to get tough. They want tough penalties, they want prisons, and they want good enforcement out there.

There is another problem with this bill. No Member has talked about the cost. It is a \$25 billion budget buster. We have \$22 billion in here, and that does not get us to what we are going to spend on this thing including the out-years, and I have added in \$13 billion in there for the out-years so we do not create any myths.

If there is one question the American people should ask their representatives about this bill it is going to be: Have you read it? Have you read this bill? Have you read every word of it? Have you read the conference report?

I daresay there are very few Members here who could answer any of those questions in the affirmative.

Mr. Speaker, I reserve the balance of my time.

Mr. DERRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. KLEIN].

Mr. KLEIN. Mr. Speaker, I rise today in strong support of the rule on the conference report on H.R. 3355 and on the bill.

Violent crime is the scourge of this Nation. More than anything else, Americans want us to take decisive action to fight crime. We must stop looking at criminals as victims and recognize that we, the law-abiding citizens, are the victims. Today we stand on the threshold of passing the strongest, toughest crime bill in our history.

But special interests would hold this crime bill hostage in a desperate attempt to kill a ban on military-style assault weapons that are the weapons of choice of drug dealers and criminals. We must not bow to special interests. We cannot let children die on the streets to appease the NRA.

We have an opportunity to put 100,000 more cops on the streets, to build more prisons for dangerous criminals to curb the flow of drugs into the country and, yes, to ban these assault weapons. Let us stop the rhetoric on crime. Let us do something about it.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 30 seconds

to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I rise today not only in support of this rule, but in support of taking a stand. After months of consideration and countless hours of debate, we have arrived at the precipice. We can take the easy way out, defeat the rule and back away from our responsibility. Or we can show some courage. Exhibit some leadership. Pass the rule and bring this crime bill to a vote.

Consider those who live in fear, and whose lives this crime bill will greatly improve. Think of this when you vote on this rule, and consider the words of Andrew Jackson: "One man or woman with courage makes a majority."

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas [Mr. ARMEY] our conference chairman.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, earlier in this debate the gentleman from New Mexico [Mr. RICHARDSON] characterized this as the vote of the year. It may or may not be that, but it is a serious moment. This is a serious business.

I do not have to recite the crime statistics. I do not have to tell personal anecdotes about youngsters harmed, maimed and killed. We know we have a crisis in America, and we know that America expects us to act.

We know that we are late in getting a crime bill to this floor, and we know that the reason we are late in doing so is that you wrote a crime bill that you cannot sell to your Members. We know that, and I am sorry for that. We should have acted before now.

The gentleman from New Mexico [Mr. RICHARDSON] says if we do not do it today it will not get done. Can it be on one hand the most important thing we have to do, and then on the other hand something we will not have time to do if we cannot do it your way?

I am told now that we Republicans are going to cast our most important vote of the year to deny the President a victory? Let me say, my friends on the Democrat side of the aisle, the President's political fortunes are just not that important to us. We will cast our vote here as a matter of conscience. We are not going to cast our vote here out of fear, and we will not be railroaded by buzzword blackmail into voting for a bill that spends \$33 billion of the taxpayers' money doing too much of the wrong things and too little of the right things necessary to make our children safe in our own neighborhoods.

It is not a matter of our concern about your political future or that of the President. It is not a matter of our concern about our political future. It is a matter of our concern about whether or not we keep the trust and the faith



and the commitment that the American people have given us to come to this floor, timely, which you failed to do, with good legislation, which you failed to create, in order to keep our children safe. Our children do not need midnight basketball, our children do not need more arts and crafts, our children do not need more sensitivity training. Our children need law enforcement, good jurisdiction, imprisonment for criminals and safety on their streets.

I say vote no on this and bring back a decent bill.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 30 seconds to the gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. Mr. Speaker, make no mistake, a vote against this rule is a vote against the crime bill.

My wife, Beth, and I share the fears of parents everywhere in this country raising our three kids in an increasingly violent world. We used to assume a loud bang on the street was a car backfire. Now we wonder if it was a gunshot. We read about school kids with guns instead of books in their backpacks.

This bill is not perfect, but if we wait for perfection we will lose our battle against crime, a fight too important to lose to partisan politics or pride of authorship or fear of the gun lobby.

□ 1630

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 30 seconds to the gentleman from Missouri [Mr. WHEAT].

Mr. WHEAT. Mr. Speaker, I rise in support of this rule and the strongest anticrime legislation in our Nation's history.

Mr. Speaker, for the last year I have traveled to Missouri communities, large and small, listening to police, prosecutors, and countless ordinary citizens who live with fear of crime every day. They all give me the same message: "Help us win the war against crime."

Mr. Speaker, let us be clear, if this rule loses, there will be no winners. If this rule loses, 100,000 cops will be lost. Crime prevention funds will be lost. Thousands of prison cells are lost. Tougher sentencing provisions are lost. The hopes of millions living in fear of crime every day are lost.

Let us pass this conference report. It is not a small step. It is a giant leap in the fight against crime and drugs. If you want to be tough on crime, prove it today. Support this rule. Support this legislation.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 30 seconds to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Be honest, my colleagues. Should any Member of Congress or his family be victimized by

crime, he would call the police, not a lobbyist from the National Rifle Association.

Shame on those Members of Congress who would ask our police to risk their lives to protect us and then turn their backs on these same police who beg us to pass this crime bill.

Most of my Republican colleagues are determined to gridlock Congress on this crime bill. They believe killing this bill or any crime bill will elect more Republicans. I think the American voters can see through this political charade.

The people I represent are more interested in a victory over violent crime than any political victory.

Listen to our police. Listen to America. Vote yes on the rule and on the crime bill.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 1 minute to the distinguished gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Speaker, on May 5 in an extraordinary effective bipartisan show of support for the banning of assault weapons, this House by a small margin did something that nobody believed we could do. We all understand, everyone in this Chamber knows, we are revoting that vote today.

There were 38 Republicans who stood courageously against the Gun Owners of America, stood up against the opposition of the NRA and told their constituents they were with them on this overwhelmingly popular position, the banning of assault weapons. But today something is different. Apparently all of those courageous Members have changed their votes.

There is intimidation, yes, pressure, yes. Where is it coming from? I can tell you that the National Committee of the Republican Party has before it a resolution which takes those 38 people to task, says they should be deprived of their funding for reelection, says they should have "real Republicans" standing up to defeat them when they go for reelection.

This is part and parcel of why this vote today is in doubt. We are not here debating the question of assault weapons honestly. What we are facing up to is intimidation and pressure from the political leadership.

I am asking those 38 Republicans who have the courage to stand up and say they are for the police in their communities and for the people who believe we should have an assault ban to stand up to the RNC, to stand up to their leadership, and ratify their real beliefs.

I am submitting the RNC resolution for the record so that the entire House will understand the kind of intimidation and strong-armed tactics the Republican leadership is employing:

#### REPUBLICAN NATIONAL COMMITTEE RESOLUTION

##### RESOLUTION OF CONDEMNATION

Whereas, The Second Amendment of the Bill of Rights of the United States Constitu-

tion supports the right of the individual American citizen to keep and bear arms; and

Whereas, Our forefathers, having just completed a war with a despotic government, provide in the U.S. Constitution for the right of individual American citizens to keep and bear arms to ensure that dictatorial governments would nevermore tyrannize American citizens, by guaranteeing such citizens the means, arms, to overthrow such a government, if necessary; and

Whereas, The Constitutions of the vast majority of the individual States also support the right of the individual American citizen to keep and bear arms; and

Whereas, The Platform of the Republican Party supports the right of the individual American citizen to keep and bear arms; and

Whereas, The Republican Party has its foundation and roots in the individual, in the rights of the individual, and in the belief that individual rights take precedence over, above, and ahead of Government; and

Whereas, A betrayal of the most basic foundation, roots, and primacy of the philosophy of the Republican Party is a negation and denial of all Republican philosophy, and therefore a denial and rejection of one's own Republicanism; and

Whereas, That basic foundation was put to a test on May 5, 1994, when the U.S. House of Representatives voted on H.R. 4296, a bill banning certain described and vaguely defined types of firearms, and that bill passed by a vote of 216 to 214, with 38 Republicans voting for that bill; and

Whereas, The Republican Party is a "big tent" that encompasses all races, ages, handicaps, and differing perspectives on many issues, but not on the fundamental issue of the rights of the individual; Now, therefore, be it

*Resolved*, that the Republican National Committee condemns those 38 Congressmen for voting in derogation of the individual American citizen's right to keep and bear arms; and be it further

*Resolved*, That the Republican National Committee shall, hereafter, deny all Republican Party funding to any and all of those 38 Congressmen should they seek reelection; and be it further

*Resolved*, That the Republican National Committee shall seek alternative, real Republican candidates for the seats of those Congressmen.

The 38 Congressmen are: Bateman, VA; Be-reuter, NE; Blute, MA; Boehlert, NY; Castle, DE; Fawell, IL; Franks NJ; Gilchrest, MD; Greenwood, PA; Horn, CA; Houghton, NY; Huffington, CA; Hyde, IL; Johnson, CT; Kasich, OH; King, NY; Klug, WI; Lazio, NY; Leach, IA; Levy, NY; Machtley, RI; McDade, PA; Meyers, KS; Michel, IL; Miller, FL; Molinari, NY; Morella, MD; Porter, IL; Pryce, OH; Quinn, NY; Ridge, PA; Ros-Lehtinen, FL; Roukema, NJ; Saxton, NJ; Shaw, FL; Shays, CT; Smith, NJ; and Young, FL.

LANE REES,

*Chairman Republican Party of Alaska.*

WAYNE ANTHONY ROSS,

*Republican National Committeeman, Alaska.*

EDNA DEVRIES,

*Republican National Committeewoman, Alaska.*

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Texas [Mr. BROOKS], the distinguished chairman of the Committee on the Judiciary.

Mr. BROOKS. Mr. Speaker, I say that it is very difficult for me to believe that for the past 10 days the question

that has held up the crime bill is not whether you are for or against the crime bill but whether you want the House to vote on it. Well, if your dream is becoming part of a filibuster one day, run for the Senate, but do not delude yourself into thinking that the American public is in any way impressed. No procedural vote is not about whether to gut this 2 years of work on some procedural ploy. It is about throwing away almost 4 years of work, as the American people continue to live in constant fear in their workplace, and in their neighborhoods, in their homes.

Now, I will tell you that in the last Congress there were great expectations about passing a crime bill. The House did not succumb to partisanship. We passed a crime bill October 22, 1991. The Senate did likewise a month later, on November 24, 1991.

The conference met, returned, the House approved the conference report on November 27, 1991, 4 days later. When that conference went to the Senate, a group of obstructionist Republicans, I will tell you that is right, distraught that Democrats could actually write a tough, good crime bill, they bottled the bill up for 11 months. Congress wagged its tail and adjourned.

Now the Republicans, our friends, are working day and night all in the service of a campaign to not have a crime bill for the fourth year.

We are not perfect people. I am not. I do not think you all are. And I do not think the bill is, and not many of them are. Most of you are keenly aware of my profound disappointment at inclusion of the ill-conceived ban on assault weapons so broadly cast as to insult the dignity and good name of legitimate and good, law-abiding gun owners across the Nation. I was outvoted by the House and Senate conferees in attempting to strip this punitive vendetta.

But to this day, I say plainly that the assault-ban provision should never have been included, and I will be back sooner than some think to right than wrong.

What I want to say now is I think every Member of this Congress should vote for the rule and let the Members of Congress decide whether or not to have a crime bill, whether we want to help the people in this country.

In every congressional district the No. 1 issue is, What are you going to do, if anything, about crime?

I ask you to vote for the rule and for the conference report and urge all of my colleagues to support them both.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama [Mr. EVERETT].

Mr. EVERETT. Mr. Speaker, I oppose this rule.

Mr. Speaker, the crime bill that came back from conference reminds me of the old movie "The Good, The Bad and The Ugly." There is

no question there are some good things in this bill. But for the most part—it's bad and it's ugly.

Forty million dollars for midnight basketball. There are those in this Congress who actually want to spend \$40 million to keep teenagers out after midnight to play basketball. That's not going to halt crime—that's going to increase crime. What kind of logic keeps teenagers on the streets until well after midnight? Midnight basketball is bad and it's ugly, Mr. Speaker.

This bill gets worse. Rather than criminals receiving tougher punishment, this crime bill wants to teach them to dance. My constituents are tired of this kind of waltzing with criminals. They are tired of their hard-earned tax dollars supporting criminals in jail lifting weights and watching color television. Put criminals to work, Congress. That's what your constituents want—punishment not pampering.

I will repeat again—there is some good in this bill, but most of it is bad and it is ugly.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, I rise in opposition to this rule.

Megan Kanka, the 7-year-old who was brutally killed by a sexual predator, Mr. Speaker, lived in my district, and the language for the community right to know in this bill is very, very weak, and I would hope that we will go back to conference and parallel what my good friend from Washington tried to get passed. This is very weak language.

I rise against the rule because I believe this legislation needs to be sent back to a conference committee for significant overhaul. While this bill includes many valuable provisions for new police and prison space, it has been significantly watered-down by the House-Senate conferees in a display of arrogance toward their colleagues in both Houses of Congress.

The deleterious results of the backroom wheeling and dealing of the crime bill conferees are plainly evident. There are several examples of the conferees ignoring or defying specific instructions from the House of Representatives.

For example, on July 13, the House voted to instruct conferees to include a community notification provision, which would require local police departments to be informed about the presence of sex offenders in the community, and encourage law enforcement to disclose this information to the public. This language was watered down significantly in the conference committee report.

Mr. Speaker, Megan Kanka, a 7-year-old in my district was viciously abused and killed by a sexual predator who had been convicted twice for preying on young children.

No one in the community knew the killer's sordid past, Mr. Speaker. Had Megan's grieving parents known that their neighbor was a dangerous person, they would have taken steps to protect their precious child. Megan's parents had a right to know that information.

I'm disappointed to say that the language in the crime bill is weak—far less than the pro-

posal offered by Senator GORDON and Congresswoman DUNN.

Mr. Speaker, the conferees also ignored the fact that on June 22, the House voted overwhelmingly to instruct conferees not to accept any agreement that reduced funding for new prisons below the House-approved level of \$13.5 billion. Instead, we have a final bill that includes only \$8.3 billion for prison construction.

On June 29, the House overwhelmingly approved a measure to instruct conferees to not accept any agreement that disallows evidence of similar crimes to be presented in court when hearing sex offense cases.

On July 20, the House approved a measure to instruct conferees to not accept any agreement that fails to include a Senate-approved measure that provides for mandatory prison terms for the use, possession, or carrying of a firearm during a State crime of violence.

These are but a few examples of the arrogance demonstrated by the conferees in crafting a bill that flatly contradicts the will of the House and the Senate in many important areas. There are obviously elements in this legislation that are worthwhile, but we do not have to settle for half a loaf. We do not have to deliver a less-than-adequate bill to the American public.

A vote against the rule is a vote to send this legislation back to conference where it can be fixed. I urge a "no" vote on the rule.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to my colleague and friend, the distinguished gentleman from Florida [Mr. MCCOLLUM], who is a member on the committee.

Mr. MCCOLLUM. Mr. Speaker, I rise in opposition to this rule.

I think it is outrageous that some have suggested on that side of the aisle we Republicans over here are somehow trying to defeat this bill. We are not. And in fact, they have got 79 more Members on that side of the aisle than we have over there. There is no way we can beat this rule or the bill, either one, without a lot of Democrats to vote to do so as well.

What we are concerned about is not playing politics like the gentleman from California [Mr. FAZIO] wanted to do here. He knows good and well that Haley Barbour, our National Republican Committee chairman, had withdrawn that resolution that might have criticized our Members for whatever they might have voted on a gun proposal.

He should know, as I do, the Republicans over here on our side of the aisle are not sending this bill back to the committee, do not want to send it over to the conference committee to get it worked on some more because of the gun issue. We want to send it back over there to be worked on, not to kill it, but to be worked on and brought back out here because we understand this is an imbalanced and imperfect bill that is not going to do the job. The fact of the matter is there are \$8 to \$9 billion in this \$30 billion-plus bill, \$8 to \$9 billion in new Great Society social welfare spending, the most in 20 years, and



it is imbalanced because if we look at what we have got in this bill for prisons, which is the main thing we can do to help the States solve the crime problem, we can only have \$6.5 billion, not the 8 whatever that has been put out here, half the amount passed by this House of \$13 billion, and not nearly enough to do the job we heard from the Bureau of Prisons is required.

They said they need at least \$10.5 billion to \$12 billion in grant money to the States to build new prisons if we are going to give them enough to take off the streets the 6 percent of those criminals who are committing 70 percent of the violent crimes of this country and only serving about a third of their sentences, and make them serve 85 percent of their sentences if they are repeat violent offenders.

□ 1640

That is, put truth-in-sentencing into the law. It is going to take that kind of money.

We should not be spending social welfare money out here like this. We should not be increasing programs for the midnight basketball, teaching of dance lessons and the artistic classes and all of that kind of nonsense, to get at root causes of crime.

We should be putting the money where it needs to be put, where the bureau of prisons and others have said it is required if we are going to actually solve the problems that the American public wants. We need to put certainty and swiftness and punishment back into the system again. We need to have deterrence of criminal laws in this country, deterrence of crime, which is the true prevention.

Then, if we want to get to the root causes, we need to bring out a welfare reform bill to change the rules of the game out here so that we can put incentives back in the law for families to stay together again instead of having the way it is now, and get moral values taught again.

That is the real root cause of the problem. But in the meantime let us save the patient who has been run over by the truck and has all these internal injuries, who is bleeding to death over here because his arm has been cut off. Let us at least apply the tourniquet and stop the violent crime program here that is going on in our country, by getting the resources that are necessary to the prisons.

All we have to do to do that is take away some of this nonsense, this \$8 or \$9 billion of this Great Society spending, take a few billion dollars of that in the conference committee when we send this bill back today, if we defeat this rule, and put it where it ought to be, on prisons, and put the right amount of money there and send a good tough, hard crime bill back here for us to vote on.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 2 minutes

to the gentleman from Missouri, the distinguished majority leader [Mr. GEPHARDT].

Mr. GEPHARDT. Ladies and gentlemen of the House, the decision that we make today is between one on procedure and one about people.

I know the heartfelt disagreement on so many points in this bill, on both sides of aisle. And I know those disagreements are heartfelt. But the question we have to ask is will we remain frozen in disagreement, or will we be able to act?

A lot of people say go back to conference and we will do this, we will do that and we will do the other thing. Well, it has taken us 1½ years to get to this day.

In 1991 it took over a year to get to a filibuster that stopped any crime bill from going forward.

It is overly optimistic to think that it is easy to take out the part that I do not like or the part you do not like or revise this or that to get back to something that we like.

Just for a moment before you cast this vote, take out of your mind the things in the bill that you do not like and keep in mind the four children in my town of St. Louis whose mother was shot and killed on her own porch last week in a senseless, meaningless killing. Think about the two teenagers in San Marino, CA, gunned down by gang members in a high school. Think about the young woman here in Washington who was slain in a drug-related shooting, when she was 7 months pregnant with her own child. Think of the third-grader in Chicago who was asked by her teacher to share her feelings about violence, and shared the story of her young cousin shot in the head by another boy playing with a gun. Think of the two elderly women in St. Louis, 87 and 76, who were raped at gunpoint.

That is what this bill is about. Do not think about each little provision that you may not like, think about the people who count on us today to come to their aid with something, not to be frozen out in our disagreement but to find an agreement.

And, finally, think about the young girl written about here in the Washington Post, who thinks not about her cares and concerns but because she has lived with so much death, so much pain, so much tragedy, that she dreams not of her prom dress but of her funeral dress.

Ladies and gentlemen of the House, are we going to respond to her? Or are we going to act?

Think about her, vote for this rule. Let us make this country safe again.

Mr. GOSS. Mr. Speaker, at this time it is my privilege to yield the balance of our time, 4 minutes, to the distinguished gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker and my colleagues, I rise in opposition to the

rule and compliment the distinguished majority leader for the plea he has made on the other side of this issue.

Let me also take the opportunity to applaud those of you on both sides of the aisle who have so eloquently and forcefully pointed out the deficiencies in the conference report that this rule makes in order. Somewhere buried deep within the layers upon layers of big dollar items in this crime bill is a workable, useful policy of prevention, education, and punishment. But the rule does not allow us to strip away the many expensive and unnecessary parts that now deform the bill.

What we have instead is the unholy political trinity of pork, posturing, and partisanship.

At one point we did have a tough crime bill, one that focused on taking repeat offenders off the street, one that built more prisons, one that imposed tough sentences. That tough bill is not the one before us tonight.

I have put out an all-points bulletin, but I am afraid it has met its demise.

Our constituents have pleaded with us to alleviate their fear, make their schools and streets safe again. After anteing up better than \$30 billion in this bill, much of it unfunded, we are not going to be answering their plea.

This bill could have been, it should have been a lean, mean, crime-fighting machine. But there are too many election year goodies, trinkets, and gift-wrapped spending programs piled on it. And now it looks like Santa Claus wearing a sheriff's badge.

This is not a battle between detention and prevention. We need both.

The question before us is one of high public policy: What kind of Federal legislation best helps our society uphold the rule of law? This is a time of rising crime rates and rising public demands for action, but it is also a time of budget deficits, a time when every tax dollar must be spent wisely. That is why we ought to defeat this rule.

The rule does not allow us to say what is best and get rid of what is worst in the bill as it now stands. My colleagues, I believe we can craft a sensible bill that combines all the elements of detention and prevention. But if the rule passes, we will be asked to vote on a bill that would direct too many tax dollars into areas that may be politically useful for some of our Members but have little to do with fighting crime. In my opinion, we cannot afford such waste. Our constituents, who want safe streets and safe schools, cannot afford it.

Maybe one final word, particularly on my side of the aisle: This is a procedural vote.

□ 1650

It is a rule. How many times have we been had on our side of the aisle by the rules of this House?

This is a procedural vote, and it means whether or not we can make an

impact and a difference on cleaning up a bad bill.

That is what it is all about, and my colleagues ought to take advantage of that opportunity. Do not let it slip through our fingers when it is right at hand.

Mr. Speaker, that is my message to my colleagues tonight.

With all due respect to my friend, the gentleman from New Mexico, who said vote down the rule and the bill is killed. I will take a different view with respect to our President because our President made a strong, impassioned appeal for a strong crime bill, and I respect that.

We want to do the same. We have our differences of opinion on both sides of the aisle and within our parties on how best to do it; that is what it is all about, and it is on the margin of whether or not we are going to get one more opportunity to clean it up the way it ought to be cleaned up or let it go by as it is.

I would plead with Members. Vote down this rule. Get us that one other opportunity.

Mr. LAZIO. Mr. Speaker, I rise today to express my opposition to the rule on the crime bill conference report, H.R. 3355, the Violent Crime Control and Law Enforcement Act.

For me, today's vote on the rule is not a statement in favor or in opposition to the crime bill conference report. Rather, it is about whether it is fair for the majority to apply a restrictive and repressive procedure that purposefully obviates the voice of a majority. In this case, the staff and a few members got together behind closed doors and added provisions to the bill that neither the House nor the Senate agreed to. That is how a bill passed by the Senate at \$22 billion and the House at \$28 billion became a \$33 billion conference report. The minority was only given a few hours to review a 972-page bill, although the conference was reported almost 2 weeks ago. This type of procedure undermines the democratic process.

While I will not vote for the rule, I strongly believe this Congress must pass a crime bill that is truly effective against crime and is paid for in its entirety. This conference report had at least \$3 billion in programs that were not paid for. Long Islanders sent me to Congress to fight this kind of irresponsible deficit spending, not to be a party to it.

Hoping that it could be improved in conference, I supported H.R. 3355 when it passed the House in April because it contained features similar to the alternative Republican crime bill, H.R. 2872, the Crime Control Act of 1993, of which I am an original cosponsor. H.R. 2872 calls for strong measures to combat the crime rate in our country, including additional funding for prisons and additional get-tough measures against criminals.

Instead, we got a bill that increases the deficit, lacks meaningful truth-in-sentencing provisions and does not allow for the tracking and registration of violent sex-offenders. Congress can do better. Defeating the rule and sending the bill back to conference will give us a chance to correct it.

This conference report leaves a lot to be desired, and Republican attempts to offer constructive amendments were rebuffed, severely weakened, or stripped entirely from the bill. However, I do support many of the important provisions within H.R. 3355.

For example, I strongly support the provisions to hire 100,000 additional police, increase prison funding, ban assault-weapons, and expand federal death penalty provisions.

As many as 40 members of the other party have expressed opposition to the assault-weapons ban in this bill. That is not the case with me. I voted for the assault weapons ban when it passed the House, I support the ban now, and I will support it when Congress finally passes a crime bill.

Therefore, my vote against the rule today will not be vote against a crime bill. Rather, it is a rejection of the highly partisan and undemocratic method that was used in pushing this bill through the conference process and to the floor.

Mr. GILMAN. Mr. Speaker, I reluctantly rise in opposition to the rule providing for consideration of H.R. 3355, the Violent Crime Control and Law Enforcement Act of 1994. My decision has been extremely difficult since, like many Americans, I believe that we must take action to prevent and rid our Nation's cities and towns of the violent crime that has become all too familiar. However, despite my real concerns, I am convinced that this weakened compromise will do little to accomplish this important, and much needed goal.

In order to effectively fight crime, I believe that we must get tough, and severely punish those who break the law. However, many of the provisions that are included in this omnibus legislation, will do nothing to combat the violent crime that plagues our communities. In fact, much of the funding that is included in the conference report is not even directly related to crime control. While these programs may have a positive impact on some of our communities, social spending should not be disguised as crime control. The American people deserve better than this. The \$8 billion cost of these newly created programs are exorbitant, and have not even been proven to affect crime rates. For example, midnight sports will cost the American people \$40 million, child safety grants will cost the American people \$430 million, and the national community economic partnership will cost an estimated \$300 million. Supporters claim that through community development, social services, job training, and recreational activities, potential criminals will be steered from a life of crime. However, further analysis demonstrates this is not a proven assumption. Since 1965, our Nation has spent over \$5 trillion on welfare spending. Yet with crime rates at an all time high we know from experience that welfare spending has had no significant impact on crime.

Another source of concern, is that this massive \$33 billion crime bill places a huge unfunded mandate on State and local governments. Supporters claim that \$8.8 billion of funds will be available over the next 6 years for State and local governments to hire an additional 100,000 police officers. However, when we look closer, the figures do not add up. On closer inspection it is evident that the funding will guarantee the hiring of only 20,000

police officers, a 3 percent increase in our Nation's police force. In order to permanently place the additional police officers, State and local governments will be required to pick up the remainder of the tab since the funding for the police will be gradually phased out over the 5-year funding period. Having to pay additional salaries and pensions, combined with a substantial loss of funding will, no doubt, burden local governments. Unfortunately, this loss will be realized by raising taxes or cutting back on valuable services.

Furthermore, I remain concerned that this legislation retroactively drops mandatory minimum penalties for individuals who sell, possess, or import drugs. This sends a disturbing message to our Nation's youth by condoning the use and abuse of illegal narcotics. This will also tie up Federal prosecutors in reviewing these cases. At a time when drug abuse is on the rise, this is not the kind of message we need to be sending. Instead, we must remain steadfast in our determination to eliminate the drug abuse that in many instances, breeds violent crime. It is ironic that while the administration says it wants to fight crime, it has abandoned the war on drugs. With drugs contributing to one-third of the violent crimes committed in our Nation, and to one-half of the murders, we must not retreat from the battlefield.

As an author of one of the amendments that is included in this massive legislation, my decision to oppose the rule, and this legislation, has been even more difficult. Unfortunately, I believe that the many so called "crime control" provisions will do little to curb crime. My strong desire to protect and serve the citizens of our Nation outweighs my support for legislation that I authored, and which is included in this omnibus legislation. My legislation increases the criminal penalties for visa and passport offenses.

With this in mind, I extend my sincere appreciation to the chairman of the Judiciary Committee, the gentleman from Texas [Mr. BROOKS], for his unyielding commitment to the American people. I also thank the ranking member of the Judiciary Subcommittee on International Law, Immigration and Refugees, the gentleman from Florida [Mr. McCOLLUM], the ranking member of the Judiciary Subcommittee on Civil and Constitutional Rights, the gentleman from Illinois [Mr. HYDE], as well as all the House conferees who held firm for the inclusion of my amendment.

The need for these tough new increased criminal penalties is long overdue. In fact, these penalties have not been raised in more than 45 years. With the many instances of massive visa and passport fraud and abuse, our system needs to be reformed. By toughening these criminal penalties, we will be assisting our Nation's law enforcement officials, especially our hard working diplomatic security and Immigration and Naturalization Service agents.

The New York Trade Center bombing, and other terrorist plots uncovered in New York City last year, set off an alarm bell. Out of the 35 original indictable counts, nine were for visa or passport related Federal offenses. Thus, demonstrating our Nation's vulnerability and exposing the clear link between visa and passport offenses and international terrorism. I



am pleased that my amendment can aid our Nation's internal security and our citizen's safety and freedom.

With the defeat of this procedural rule, I am hopeful that the conferees, Democrats and Republicans, will now return to the conference committee, with one goal in mind—the development of strong “anti-crime” legislation that will enforce stiffer criminal penalties, will institute longer prison sentences for convicted felons, and will increase support for our Nation's law enforcement officers.

Mr. VENTO. Mr. Speaker, I rise today in support of the rule and the Violent Crime Control and Law Enforcement Act of 1994 as reported to the House.

The trust fund concept in this measure is an important new idea. The Federal Government is committed over the next 5 years to reduce Federal employees by more than 270,000 slots, with the savings dedicated to this crime reform measure which proposes to expend \$33 billion over the next 6 years. In fact, the first appropriations are already in the House and Senate measures being considered and will be enacted for fiscal year 1995. I think this is important to point out to those of my colleagues who stand up here today calling this measure a budget buster. This argument looks more like a heat shield created to deflect criticism from the real agenda of these people which is to allow assault weapons to continue to spill out on America's streets, or to kill the prevention initiatives in this bill that will give our Nation positive alternatives to crime. The fact of the matter is this measure need not represent new expenditures—to date the money is in the budget.

This package will mean real assistance to State and Federal law enforcement efforts. Over the duration of this measure, \$10.7 billion will be provided for prisons and \$10.6 billion for State and local law enforcement—including a nearly 20 percent increase to the Nation's police force. Sorely needed prevention programs will receive \$7 billion over the next 6 years to help change the direction of the culture of crime overshadowing America.

This measure contains provision like the three strikes and you're out for repeat violent offenders, the safety valve feature to give judges more discretion in sentencing first-time, nonviolent offenders, and the Violence Against Women Act. All of these provisions will be instrumental in reforming our criminal system to help better serve the law abiding citizens of this Nation.

Earlier this Congress, Natural Resources Committee Chairman GEORGE MILLER and I introduced a bill to expand park and recreation opportunities for at-risk youth in high crime urban areas. The bill recognizes the important role that urban recreation programs play in developing positive values in our young people and keeping them away from crime.

This particular crime prevention measure, and others like it, are included in this conference report—and with good reason. According to the Department of Justice, violent crimes committed by young people are growing at the fastest rate in this country. It is obvious to me if we are truly going to address our country's crime problem we must focus on prevention; we must give our young people hope and opportunity; we must give them a

haven from the streets where they can develop values such as responsibility, teamwork, leadership, and self-esteem.

There are a number of programs included in this conference report that will work to achieve these goals: The Community Schools Initiative, Youth Employment Skills [Y.E.S.] Program, midnight sports programs, and my and Chairman MILLER's at-risk youth recreation grant, to name a few. I am pleased to see these initiatives included in this crime reform bill. I am not, however, satisfied with their low funding levels. However, because these measures are in the package we can in the future reallocate the trust funds from one program to another. Without such a feature, the programs provided would not have been easily funded. Because of the policy put in place by this feature, I am confident that the merit of these measures will command a portion of the trust fund and or appropriations.

The average cost of incarcerating each juvenile offender per year is \$29,000. Today some will rise in the House and refer to these programs as government waste or pork. I suggest you sit down with a calculator and figure out just how many future offenders we will need to keep out of jail to actually save money by implementing these programs. Then maybe some questioning this policy would finally begin to realize that it is prevention not punishment this country needs for a safer society, and that is what should be emphasized by this Congress in 1994. Ironically, at the same time these critics will suggest that the \$10.7 billion for prisons in this measure is too little; that we need more and that the mandatory minimum sentence reform is flawed. Such opponents want more prisons, longer sentence provisions and yet less money spent. This is the same reactive mode and failed policy path that was tried during the 1980's. Today, nearly one million people are in prison. Mindless incarceration and mandatory minimum sentences don't do the job. No one wants violent persons on the street, but we must act proactively to deal with the input side of the crime equation, not just react to the crime—both aspects are elements of a sound policy for our Nation.

Sadly some aspects of this bill are flawed such as the increase from 2 to 60 Federal crimes punishable by death. The cost of this policy alone, not to mention the demonstrated discrimination inherent in capital punishment today, can not be justified considering its dubious value as a crime deterrent in our society. Even though capital punishment has been statistically and historically biased against minorities, regrettably this measure remains absent a remedy to address this critical issue of racial bias. While a House passed provision could not be reconciled in the House-Senate conference, I am hopeful that President Clinton's executive order will meet this short fall.

After careful consideration of this measure, I find the positive far outweighs the negative in this conference committee report. The prevention programs are an important first step in providing men, women, and children in need an alternative to violence, gangs, and to crime. The assault weapon ban in this bill will take some of the most dangerous and unnecessary guns, virtually para-military weapons, off the streets of America and stop the carnage—saving lives without limits on legitimate

sports and firearms collections. The long overdue Violence Against Women Act is a tremendous stride toward ending domestic violence and ensuring the safety of women in our society.

I rise in support of this conference report and urge my colleagues to do the same and support the rule which provides for its consideration.

Mr. DOOLITTLE. Mr. Speaker, I rise in strong opposition to the crime bill and the accompanying rule that come before the House today. The debate surrounding this legislation and the entire crime issue reflects what Thomas Sowell called a conflict of visions.

#### SOCIAL SPENDING IS NOT CRIME FIGHTING

There are some, including the current administration, who think violent crime can be eliminated from our society with a little rehabilitation, a little understanding, and lots of money—\$32 billion in this legislation alone.

But if social welfare spending reduced crime, Mr. Speaker, America would have the safest city streets in the world. Since the war on poverty was launched in 1965, the Government has spent \$5 trillion on new social programs, including community development aid, social services, job training, and recreational activities.

What effect has this massive social spending had on crime? Since 1960, the rate of violent crime has increased more than 500 percent and total crimes have increased over 300 percent. And while population has increased only 41 percent over this period, social welfare spending is up 800 percent. As the Heritage Foundation has noted:

The evidence suggests that welfare spending, by promoting family breakup, has played a large role in increasing, rather than decreasing crime.

#### CLINTON BILL REPEATS PAST MISTAKES

Despite this horrible track record, Mr. Speaker, we are urged by the Clinton administration to support a \$32 billion crime bill, which includes over \$9 billion in new social spending programs. Among the new Federal programs are a midnight basketball league—with Federal rules detailing the composition of neighborhood teams—self-esteem classes, arts and crafts, dance classes, and physical training programs, and conflict resolution training.

Mr. Speaker, if the rate of crime continues at its current pace, 8 out of 10 Americans can expect to be the victim of a violent crime at least once in their lives. This result is intolerable.

Those who preach rehabilitation and criminal rights, and who see job training and social spending as solutions to our crime epidemic, have been at the helm of our country's social policy for too long. Every crime statistic available confirms their failure.

It is time for those with a different vision of criminal justice to have a turn. The people in my district, for example, have zero tolerance for crime. They are not concerned about protecting criminals' rights; they are concerned about protecting victims' rights. They don't want more social workers; they want jails. They don't want to ban guns; they want to incarcerate criminals. And instead of parole and alternative sentencing, the people in my district want truth-in-sentencing.

## WORST PROVISIONS IN A BAD BILL

## A. HOLLOW POLICE FORCE

This bill fails on all counts. It authorizes \$8.8 billion over 6 years to hire 100,000 new police in community policing programs, but passes the cost of maintaining this force onto localities. Thus, once Federal funding runs out, localities will either have to lay off a portion of the force or lobby Congress for more Federal money. Funding for only 20,000 positions, not the 100,000 promised, will be provided. Princeton University professor John Dilulio calculated that once these additional police officers are distributed over at least 200 jurisdictions, the actual street enforcement strength will be increased by just 10 cops per city.

Even President Clinton's hand-picked FBI Director, Louis Freeh, has criticized the officer funding provisions in the administration's bill. Mr. Freeh noted that the funding for these additional officers is going to require cuts at the FBI and DNA. Mr. Freeh said the cuts are "not consistent with . . . [the FBI's] expanding mission" and might cause the Bureau to "suffer law enforcement objectives"—The Buffalo News, Aug. 10, 1994.

## B. POLICE DEPARTMENT QUOTAS

Worse than the officer funding provisions are the hiring requirements. The bill calls for State and local authorities to adopt racial, ethnic, and gender guidelines in police hiring. A guideline, like a goal, is merely a more politically palatable term for a quota—something the people of my district abhor.

## C. MISSING PRISONS

As for building much-needed prisons, the final report earmarks \$7.6 billion less than the original House bill. In a \$32 billion crime package, it is an outrage that more money is being spent on new social programs than one building and maintaining prisons. In addition, the final bill weakens the popular requirement that Federal prison funds be tied to strict state truth-in-sentencing laws.

## D. USELESS 3 STRIKES

The bill includes a three strikes and you're out proposal, a concept that I support, which allows a violent criminal three separate episodes in which to wreak havoc. Nevertheless, in any form, this provision is of limited value because State courts handle over 98 percent of all violent crime convictions.

## E. MORE CAPITAL OFFENSES, LESS CAPITAL PUNISHMENT

Although the bill authorizes the Federal death penalty for over 60 new offenses, the enforcement procedures have been made criminal-friendly. In addition, no habeas corpus revision—the most desperately needed aspect of Federal crime reform—is included in the bill to limit convicted felons from tying up the court systems with endless appeals, so as to avoid having the death penalty carried out.

## F. ASSAULT ON THE CONSTITUTION

Also, Mr. Speaker, I believe that the right to bear arms, protected by the U.S. Constitution, carries the same constitutional authority as any of the individual liberties found in the Constitution. Just as the first amendment doesn't preclude speech the Founding Fathers might have deemed objectionable, the second amendment is not limited to firearms. Washington deems appropriate. The burden is on the government, not law-abiding citizens, to justify abrogation of the individual liberties protected

by the second amendment. In my mind, the ban on assault-style, semiautomatic weapons is a clear violation of the Constitution.

It is very telling that many of the same people who support the ban on semiautomatic weapons left out of the conference bill a provision that would establish mandatory minimum sentences for thugs who use guns when committing crimes. Thus, this bill punishes law-abiding citizens by taking their guns away and gives gun-toting criminals a break by not imposing a mandatory prison sentence for using a gun in the commission of a crime.

## G. REVOLVING DOOR FOR DRUG DEALERS

Mr. Speaker, the conference report includes a so-called safety valve provision, which will effectively permit certain categories of convicted drug defendants to be invited back to court, to be given a retrial under retroactive law. This result will occur, Mr. Speaker, because the crime bill reduces minimum sentencing for drug criminals. No serious anticrime bill would put convicted drug kingpins back on the street.

## A BETTER WAY TO FIGHT CRIME

Mr. Speaker, the champions of compromise in this body often remind us that the perfect is the enemy of the good. Yet, this criticism misses the mark—I am not holding out for a perfect bill, but this one does not qualify as even good. There is a better way. There are better alternatives.

The best ideas I've heard on crime, Mr. Speaker, have come from my constituents. Earlier this year, I held a series of town hall meetings on crime. Hundreds of people came out to share their suggestions on how to end our Nation's crime epidemic.

I incorporated my constituents' best ideas into a 269 page comprehensive anticrime package entitled the Citizens Crime Prevention and Punishment Act of 1994. Introduced before the House in April, my legislation reflects a get tough approach toward criminals and emphasizes the right of innocent victims.

## RESPECTING STATES' RIGHTS

More important than any one provision, Mr. Speaker, is the fact that my bill does not increase the power and reach of the Federal Government. My bill toughens penalties for existing Federal crimes. It increases funding for regional prisons. But it does not extend Federal jurisdiction into areas that have been under local control. I think the position taken by the National Conference of State Legislatures is significant. A spokesman for the group said, "We oppose the bill because it federalizes state crimes and is an unwarranted intrusion on state and local matters." Mr. Speaker, this bill is also opposed by the American Federation of Police, the Law Enforcement Alliance of America, and the National Association of Chiefs of Police.

## CONCLUSION

Congress has a role to play in the war on crime, but it should not seek to micromanage. Instead, Congress should limit its role to supplying the States with resources they need to keep our neighborhoods safe.

Columnist George Will wrote recently in the Washington Post:

This crime bill is a bipartisan boondoggle because of the cachet that currently accrues to any legislation with an "anti-crime"

label. But the bill sprays money most promiscuously at Democratic constituencies, the so-called (by themselves) "caring professions"—social workers, psychologists, and others who do the work of therapeutic government.

Mr. Speaker, this bill and the rule should be defeated. To pretend that this bill will reduce crime will only make voters more cynical about Congress. They want and deserve a real crime bill. This bill isn't it.

Mr. Speaker, I urge my colleagues to vote no on the crime bill conference report and on the accompanying rule.

Mr. STOKES. Mr. Speaker, I rise in strong opposition to the rule on the conference report on H.R. 3355, the Violent Crime Control and Law Enforcement Act of 1994. Let me state from the beginning that I recognize the challenge we face in curbing crime in our Nation. In fact I have been a longstanding advocate for strong congressional action to reduce and prevent violence and crime. Nonetheless, Mr. Speaker, I cannot support this measure before us today because the very belief upon which our judicial system was created—protection of individuals constitutional rights balanced with societies right to be free from harm—has yet to be achieved for many Americans.

The fact that the conference report does not include the Racial Justice Act is enough in terms of my conscience to vote against the rule. This critical provision passed the House, and now for reasons of racism, has been eliminated from the bill. This abolishes my general principle of voting in favor of a rule and letting a bill come to the floor to be voted on for its merits. Even though funding for prevention is included, this does not diminish the need for the Racial Justice Act.

Over the years, I have been a strong supporter of crime control measures. I have patrolled our streets as part of neighborhood watch efforts. I have seen first hand the effects that drugs and violence have had on our neighborhoods. Despite these experiences, however, I feel that I cannot support the unbalanced approach that H.R. 3355 represents.

The crime bill of 1994, among other things, would greatly expand the reach of the Federal death penalty, and fails to include any provisions of the Racial Justice Act. In fact, the bill makes more than 60 additional crimes subject to the death penalty. While I agree that strong measures must be taken to curb the crime epidemic, I do not believe that this should be done to the detriment of an individual's basic rights and constitutional liberties. Furthermore, many of the provisions in the bill will actually do very little to reduce crime.

I strongly supported inclusion of the Racial Justice Act in the crime bill. The provisions of the Racial Justice Act are consistent with the principles of fairness and equality that are fundamental to the administration of justice in America. The Racial Justice Act would have prohibited the imposition of the death penalty where statistically significant proof exists that the defendant's and/or the victim's race determined whether the death penalty would be imposed.

When closely examined, the sentencing history of the death penalty has generally been arbitrary, inconsistent and racially biased. It is my belief that the Federal death penalty is



overly harsh, particularly because it fails to address the economic and social bias of crime in our most troubled communities. The fact is there has always been a racial double-standard in the imposition of capital punishment in the United States. Even after the black codes of the 1860's were abolished, blacks were more severely punished than whites for the same offenses in our penal system. By the time the United States Supreme Court deemed the existing process for imposing the ultimate penalty unconstitutional in 1972, more than half of the persons condemned or executed were African-American—even though they were never more than 15 percent of the population. The advances in statistical analysis of the last 20 years have allowed numerous experts to test the raw data with disturbingly consistent results.

In 1990, after 29 studies from various jurisdictions were reviewed, the General Accounting Office confirmed that there is a consistent pattern of disparity in the imposition of the death penalty in the United States and that race is often a crucial factor that determines the outcome. Since the resumption of executions in 1977, of the 236 persons who have been executed, 200 persons, or an alarming 85 percent, were executed for the murder of white victims. In fact, statistics show that blacks convicted of killing whites are 63 times more likely to be executed than whites who kill blacks.

In 1991, the United States Justice Department's Bureau of Justice Statistics reported that African-Americans accounted for 40 percent of prisoners serving death penalty sentences. In my home State of Ohio, of the 127 people on death row, 62—nearly fifty percent—are African-Americans. These statistics reflect how the African American community is disproportionately affected by the death penalty. Furthermore, in a Nation where the number one leading cause of death for young African-American males is homicide, further disproportionate application of the death penalty will not resolve the epidemic of violence in our Nation.

Regardless of whether this double-standard is intentional or not, the result clearly establishes that there continues to be an impermissible use of race as a key factor in determining imposition of the death penalty. Because of the disproportionate number of minorities serving death sentences, it is of great concern to me that without the protective provisions of the Racial Justice Act the death penalty will continue to be applied in a discriminatory and disproportionate fashion.

It also alarms me that there is an important element that these statistics do not reflect. That element is the economic conditions which have crippled our Nation. Unemployment, poverty and homelessness can be directly linked to crime. In fact, the dismal economic conditions facing our country have driven many of our citizens to a life of crime as a last resort measure of survival.

In fact, it is the African-American community which has borne the burden of this crime epidemic. I am particularly distressed by the fact that homicide has become the number one killer of African-American males. Many of our young African-American males are being killed in our inner cities for drugs and in many

cases, for no apparent reason at all. I believe that to win our war on crime, we must first deal with the underlying rage that fuels the violence plaguing our Nation. Then and only then can we effectively address the crime epidemic.

It is my belief that our judicial system's major focus should be to protect its citizens from crime and violence. However, as a Nation, we cannot afford to increase penalties while continuing to ignore the important underlying elements which often precipitate criminal behavior and the fundamental injustice of the disproportionate application of the death penalty that will surely occur as a result of this bill.

Mr. CLAY. Mr. Speaker, I rise in opposition to the rule because I am opposed to the bill. There are many worthy features in this piece of legislation and some of my colleagues have articulated them in the finest manner possible. But Mr. Speaker there are some provisions in this bill that are so immoral and so unjust and so inhumane that all the good and virtuous gestures enunciated become null and void. One of those Mr. Speaker is the authorizing of the death penalty for 50 or 60 criminal acts.

The imposition of capital punishment is a savage act only engaged in by those who live in cultures with savage-like mentalities. Capital punishment is murder sanctioned by the State which functions in the name of its citizens. Historically, race and poverty have been the dominant factors in determining who will or will not be executed. The ranks of the condemned are heavily populated by poor whites, poor blacks and poor Hispanics.

The race of the victim is equally important in dispensing the death sentence. A white criminal who kills a black victim or a black criminal who kills a black victim, invariably receive a lesser sentence. Capital punishment is exclusively reserved for white criminals and black criminals who kill white persons.

In 1994, we are on the verge of enacting legislation which continues the injustice of killing based on race and economics and then to add insult to injury this bill vastly expands the scope of the death penalty without including a provision which ensures its even-handed imposition. This is unfair, unjust, and deplorably un-American. I will not support any measure which imposes such an inequity on the American people. I will vote against the rule and the conference report and urge all reasonable and fair-minded Representatives to do so. To allow this bill to pass is to place this body's stamp of approval on a disgraceful and blatant act of discrimination. To embrace such a policy, in my judgement, is one step removed from endorsing lynch mobs. This I refuse to do.

Mr. REYNOLDS. Mr. Speaker, as a co-author of the assault weapon language in the crime bill, I rise in strong support of the rule for consideration of the crime bill and urge my colleagues to vote for it.

The vote today is not simply a procedural motion on the ground rules for consideration of the crime bill. Those who seek to kill the whole crime bill will argue that they were not opposed to the Bill per se, but were opposed to the Rule.

How convenient, and how disingenuous.

This vote is most certainly about crime—and more in particular, about guns.

Make no mistakes about it, Mr. Speaker, the forces of the National Rifle Association are

hard at work to defeat the toughest crime bill this Congress has ever passed. The N.R.A. has once again shown its true colors in this debate. Don't be fooled, my colleagues. The N.R.A. is a wolf in sheep's clothing.

They obviously are not for tough crime measures, because this bill has them.

They wanted more police on the street, and this bill adds 100,000 of them.

They wanted a tough three strikes and you're out law, and this bill has one.

You're advocated spending \$8 billion for more prisons. This bill would spend \$8.5 billion.

No, Mr. Speaker, the N.R.A. is only interested in the proliferation of assault weapons. That must be true because the Congress delivered on the other tough crime measures they supported, and yet the N.R.A. is dead set against this bill.

While I will support the rule and the crime bill, I must acknowledge my deep disappointment that the Racial Justice Act is not included in the conference report.

I support the death penalty, as long as it is fairly imposed. The Racial Justice Act would have helped to ensure that the death penalty is imposed in a race-neutral manner. It is a sensible provision that nonetheless is not included in the conference report. The work to enact a racial justice act should, and will continue, and I will continue to support its enactment.

However, one's decision on a piece of legislation must be made with regard to the whole bill. As an author of the assault weapon provision, I am pleased that the conferees voted to retain the ban on 19 types of assault weapons.

I also strongly support the billions of dollars in prevention funds for our cities, and for programs to help our children stay away from a life of crime. It is money well spent.

In sum, Mr. Speaker, the crime bill is not perfect. All of us would add or subtract something in order to tailor it to our liking. But we must face up to our responsibilities and make the tough decisions. The people of this Nation look to us for that leadership.

If we are to lead, we must vote for the rule and for the bill.

Mr. HASTERT. Mr. Speaker, the crime bill we have before us today will squander billions of hard-earned taxpayer dollars. The Conference Committee returned to the House and Senate an unwieldy 6 year, \$33 billion bill which is light on crime control spending and heavily laden with social projects. In many cases, these social programs will duplicate existing programs and fail to provide any mechanism to guarantee results.

Mr. Speaker, just yesterday President Clinton's own FBI Director criticized this crime bill because it will seriously cut the resources of the FBI and the Drug Enforcement Agency at a time when we are actually increasing the crime fighting expectations of those two agencies.

In its current form, the Crime Bill does little to fulfill our goals of fighting crime and making our streets safe again. I voted for this Crime Bill when it first came to this House. I liked the fact that we were going to encourage States to create "Truth-In-Sentencing." That's a fancy way of saying if you're sentenced to 20 years you'll serve 20 years—or at least most of it—

and not be routinely out in five! We tried to give priority to building jail cells so we could back up our pledge to "three strikes and you're out"—out of circulation, off the street, not in a position to harm again—in jail. Although the House bill was weighed down with a number of weak provisions, I hoped through the Senate and Conference Committee we could improve the bill. But sadly the bill has come back to us today with its most glaring problems still unresolved and, even worse, its positive aspects reduced to little more than a skeleton.

Mr. Speaker, we can and should send this bill back to the Conference Committee and fix it. That process doesn't have to take months or even weeks, it could be done before we recess next week. The way we do that is to vote no on this rule and that's what I intend to do.

Some say we should support this bill because of the good things that are in it, like money for more prisons and police. But even those provisions are more talk than action. True, the bill provides more money, but it does so in an irresponsible manner.

To begin, the bill's proponents claim that it will put 100,000 new police officers on the street by spending \$9 billion over the next six years. But in fact, \$9 billion will only provide 20,000 police. The estimated cost of putting a new police officer on the beat is about \$70,000. Therefore, the cost of putting 100,000 new officers on the street is at least \$7 billion per year, or, \$42 billion over the 6 years of the bill. Thus, to put 100,000 new police on the street will require local communities and States to come up with another \$33 billion of their own funds, in essence doubling the cost to taxpayers of this crime legislation. Assuming that the local communities can find \$33 billion, they then must follow new, bureaucratic quotas in the actual hiring process.

Mr. Speaker, this crime bill will also install a revolving door on our prisons. Every major public opinion survey shows that the public has lost confidence in our ability to arrest, detain and convict, and punish violent and repeat criminals. Republicans offered scores of tough amendments to strengthen this bill such as a "Three-Strikes-and-You're-Out" provision that would not require the felony convictions to come from separate episodes and even a "Two-Strikes-and-You're-Out" provision that would have mandated life imprisonment for those convicted of two violent felonies.

While President Clinton calls this the toughest crime bill ever, it actually weakens some current laws. Unbelievably, to anyone who has studied this bill, important provisions to protect our families from sexual predators are actually weakened by this bill. This bill also provides a "safety valve" provision which would allow at least 5,000 convicted drug felons to immediately be eligible for a retrial, which could result in the reduction of their prison sentences by as much as a half or more. In fact, if this bill passes, this safety valve provision could apply to all of the roughly 15,000 so-called low level drug offenders in the Federal prison system.

This "Crime Bill" is also plagued by almost \$9 billion in extravagant social spending including classes in dance, arts and crafts and self-esteem classes. Mr. Speaker, this is supposed to be a crime bill!

Interestingly, the money provided for these social programs will be considered mandatory spending and will go on indefinitely, while the money for the police is considered discretionary and will end in 6 years. The bill could, essentially, create two new social worker positions for every new individual police officer.

The General Accounting Office [GAO] recently reported that there already exists "a massive Federal effort on behalf of troubled youth" which spends over \$3 billion a year. They go on to say that there are already seven Federal Departments sponsoring 266 prevention programs which currently serve delinquent and at-risk youth. GAO also reports that "it is apparent from the Federal activities and response that the needs of delinquent youth are being taken quite seriously." In this situation, additional spending without adequate safeguards and reporting requirements is not fiscally sound.

Mr. Speaker, in these days of continuing deficits and limited options, let's put our hard-earned taxpayer dollars where they belong and can do the most good: into prison construction, funding for new police and putting criminals where they belong, behind bars.

Ms. PELOSI. Mr. Speaker, I rise in support of the provisions of the crime bill dealing with midnight sports leagues. In my district of San Francisco, there are two thriving programs that are working to keep young men and women off the streets and into the classroom by using the power of sport. For a relatively small investment, these programs are making a large difference in the lives of San Francisco's young people.

In the Western Addition, a predominantly African-American community, the Ella Hill Hutch Community Center has a midnight basketball program that is taking nearly 100 young men—disadvantaged, unemployed, and at risk—and giving them a second chance at education and employment. Recently, at a nationwide conference on midnight sports, the Ella Hill Hutch basketball program was heralded as a model for the Nation.

In the Mission District, the heart of San Francisco's Latino community, the Columbia Park Boys Club and the YWCA are sponsoring "Midnight Soccer" for young men and women, and working actively to break the rising cycle of gang violence that is threatening the lives of so many young people.

By combining education, job training, peer counseling, and the discipline and enjoyment of sport, these two programs—midnight basketball and midnight soccer—are already making a valuable contribution to crime prevention and, more important, helping young people lead productive lives. The money earmarked in the crime bill for midnight sports is an investment that is more than justified by the results. I urge my colleagues to vote in favor of the midnight sports provisions of the crime bill.

Mrs. COLLINS of Illinois. Mr. Speaker, as a mother and a grandmother, as well as a resident of a large metropolitan area, I am as worried about and frightened by random and violent crime as are many Americans today. I share the concerns expressed by residents of my district for the safety of their children and the well-being of their families. I also understand the important role that this body must play in helping to reduce the incidence of crime nationwide.

However, let me say here and now that I am morally against the death penalty; I am against the very idea of treating 13-year-olds as adults even though they commit adult-like crimes because they are still children; and I am bitterly disappointed that the racial justice provisions of the House bill have been stricken from the Conference Report.

To repeat, I have serious concerns about this bill that invests more of our scarce Federal dollars to build and fill prisons rather than to effectively address the problems that necessitate their construction, this bill that creates more ways to punish rather than to provide, this bill that exponentially expands the death penalty without guaranteeing its fair application, this bill that condones warehousing some juvenile offenders as young as 13 years old and throwing away the key instead of unlocking the doors of opportunity for our most neglected and underserved youth.

However, there are a number of very beneficial provisions included in this conference report that I strongly support and that can help my constituents. The addition of 100,000 officers to walk the streets of our cities and towns, interacting on a daily basis with our citizens, can serve to strengthen the ties between law enforcement and local communities, thus creating a safer environment in which our children can grow. Residents of several neighborhoods in my district in Chicago, such as North Lawndale and Austin, have already been successful in organizing citizen partnerships with local authorities to tackle problems as they arise and ensure the continued vitality of the areas in which they live and work.

I am also pleased, Mr. Speaker, that the conferees agreed to include \$1.8 billion of long-overdue funds for the Local Partnership Act to grant cities the resources necessary to implement proven, cost-effective, and much-needed health and educational crime prevention programs. I was successful in amending this Act to further assist in revitalizing distressed communities by setting aside 10 percent of the Federal payments awarded under the Act in each locality across the Nation for contracts and subcontracts with small minority or women-owned businesses as well as historically black colleges and universities. This provision will provide relief and the hope of a successful future to hundreds of small, disadvantaged enterprises and the neighborhoods in which they are located.

It is high time we recognize that giving individuals and families a greater stake in their communities through such initiatives is the best way to attack and deter lawlessness. We need to provide hope where there is little or none. The threat of punishment and retribution neither prevents nor stops crime from occurring. Only real opportunity does. In this regard, I am satisfied that the conferees accepted other preventive language of the House that encourages rehabilitation, education, and training of some nonviolent, first-time offenders as well as comprehensive drug treatment to move individuals down the path of recovery and toward self-sufficiency.

This conference report does contain a ban on 19 types of assault weapons as well as provisions making it illegal to sell a handgun to persons under 18 years of age. These common-sense measures should have been on



the books years ago and their inclusion serves the "Not Really Attuned" NRA with a loud wake-up call that the American people are turned off by their attempts to block any and all rational gun control legislation.

Our children are at risk and we must begin to bring some sanity to our gun regulatory framework. In 1992 alone, in my city of Chicago, 741 youths 19 years of age and under were victims of gun injuries and early reports for 1993 and 1994 indicate rising numbers. At Children's Memorial Medical Center in Chicago, the number of children 16 and under treated for gunshot wounds skyrocketed 250 percent from 1988 to 1993. This is a disgraceful tragedy, Mr. Chairman.

Additionally of importance, this conference report signals to women of our country that we do care about their right to be safe, especially in their own homes. All too often in America today, women who are victims of violent assault, rape, or murder are victims at the hands of their husbands, boyfriends, or other acquaintances. Unfortunately, many times they become victims again when they seek assistance from law enforcement or the judicial system because these entities are insufficiently equipped to deal with gender-based crimes. With the inclusion of the Violence Against Women Act in this conference report, which will combat sexual and domestic violence with proper educational programs and police training as well as mandating higher penalties for gender-motivated crimes, we can rectify these inherent injustices that now exist.

Unfortunately, Mr. Speaker, despite these beneficial provisions, a portion of this bill is devoted to short-sighted, politically misguided, and, frankly, quite disturbing attempts to limit individual liberties and establish an eye-for-an-eye justice system in the United States. Such irrational cries for vengeance as a form of crime control do nothing but blind society to the real solutions to the problems with which we are confronted and inevitably heighten divisiveness among varying races and socioeconomic classes across our Nation.

The thirty-fold expansion of Federal death penalty crimes in this bill is indicative of this irrationality. No study that I am aware of has ever proven the deterrent effect of the death penalty, and simply increasing the number of crimes subject to government-sanctioned execution will accomplish nothing, except increase the chances that African-Americans and other minorities will continue to be disproportionately among those sentenced to death.

While there is overwhelming evidence of the discriminatory nature of death penalty sentencing, it seems that some of my colleagues in both chambers do not seem to care. While they call for truth in sentencing, they certainly are not calling for true fairness in sentencing, given the absence of any form of racial justice language in this bill.

Under the 1988 Anti-Drug Abuse Act signed into law by President Reagan, the death penalty was allowed for individuals involved in certain illegal drug activities. Since this law took effect, 75 percent of those convicted of participating in a drug enterprise under this statute have been white and only about 24 percent of the defendants have been African-American. However, of those chosen for death penalty prosecutions, 78 percent of the de-

fendants have been African-American and only 11 percent have been white. Furthermore, the General Accounting Office, Congress' own investigating arm, concluded in a 1990 report that racism definitely affects the use of the death penalty in the United States.

Even Supreme Court Justice Harry Blackmun stated earlier this year that "the death penalty experiment has failed" \* \* \* it remains fraught with arbitrariness, discrimination, and caprice, and mistake."

Mr. Speaker, in the language of the High Court, I concur.

I cannot express more adamantly my grave concerns about the way African-Americans in general are treated by our criminal justice system. In those cases where the death penalty is not imposed, African Americans are more likely to receive harsher punishments for the same crimes committed by others. In fact, studies have repeatedly shown that African-Americans are 21 percent more likely to receive mandatory sentences than are whites. Given the fact that the conference report before us mandates stiffer penalties for a greater number of crimes, especially the three-strikes provision, it is incumbent upon us as policymakers to ensure that penalties are meted out fairly. Again, unfortunately, some of my colleagues see no need for this.

I have always believed that those who commit crimes of any kind should be punished appropriately. However, I am greatly distressed that when it comes to some of our most troubled youth, the conferees have admitted defeat by keeping provisions in this conference report that will allow 13-year-old children to be tried as adults in the Federal system. Once again, some adult men and women in Congress would rather take the politically expedient easy road of writing off these kids as lifetime felons rather than addressing the reasons why these kids have gone astray.

This is an absolutely unconscionable way to deal with kids that society has neglected, refused to educate properly, refused to provide economic opportunities for, and simply refused to take the time to understand.

Mr. Speaker, we must launch an attack on crime in America. But we must not let our zeal to attack this problem overshadow the fundamental civil liberties upon which we have relied for over two centuries. Disturbingly, parts of this bill, as I have stated, tend to do just that.

Nevertheless, my constituents are demanding action and I cannot deny them their right to representation in the U.S. Congress. We are all affected by the crime rate. Many among us are disproportionately affected. According to many studies, those areas composed of individuals and families of modest to lower economic means, areas that make up portions of my district, are the areas most likely to be victimized by crime. My constituents are concerned about making the streets safe and have elected me to be the voice of their concerns. They believe that, despite its shortcomings, this bill contains too much that is beneficial to them, good for Chicago, and good for the Nation, to contribute to its possible defeat by a vote in opposition. Therefore, even though it is extraordinarily difficult on my personal moral grounds to vote for the death penalty—and this will be the first and only time

in my life that I have done so—I will cast my vote in favor of this rule and for the conference report on H.R. 3355, the Violent Crime Control and Law Enforcement Act.

But I firmly believe we must revisit many of the issues I have touched upon. I am pleased that the President intends to commission a study of racial disparities in death sentencing. We must also, however, continue to work tirelessly to provide greater resources for building up our schools and neighborhoods, continue to offer greater avenues of opportunity down which our neglected and underserved youth can safely travel, so that instead of talking about "three strikes and you're out" in the future, we will be talking about the home runs hit in the game of life by more of these youngsters.

Mr. HALL of Ohio. Mr. Speaker, I rise in strong support of both the rule and crime bill conference report. We, in Congress, have a great opportunity to vote for an anticrime strategy that strikes a much-needed balance between more law enforcement, swift and certain punishment, and innovative prevention programs.

Crime is one of the most pressing issues facing the American people. While new or increased Federal penalties have been enacted into law, crime continues to plague our communities. The people of my district in Dayton, OH, and across the country, are tired and scared of hearing about crime and the underlying problems associated with it. Even though communities across the country fight crime effectively on the local level, Congress also can contribute by ensuring that sufficient funds are available. These resources will provide communities flexibility to target funds toward those areas most in need. The crime bill reflects the important partnership between local, State, and Federal Governments. Many provisions in this legislation are devoted to this cooperation and coordination between local communities and the Federal Government to meet the anticrime challenge.

Mr. Speaker, obviously this bill contains some language that not all of us are in total agreement on. But, it does include so many worthwhile initiatives which will help communities fight crime in their areas. It would be foolish of us to let this opportunity slip through our fingers.

Putting more police officers on our streets is one of the most important provisions in the crime bill. These additional officers would increase police presence and provide local law enforcement officials with the assistance they need to fight crime.

Programs that help battered women and other crime victims cope with legal, physical, and mental trauma must be a top priority. The House passed an amendment I offered which extends funding to programs that assist victims of crime, language included in the conference report. This provision removes the 4-year limit on victims' assistance funding under the Byrne Memorial Fund. Providing this exemption will help worthwhile groups nationwide to continue dealing effectively with the target problems associated with domestic violence.

Our country needs this crime bill. It is time for us to put our partisan bickering aside and vote for a balanced and reasonable approach

to the increasing violence in this country. This is the least that our young people deserve, who too are often neglected and witness the horror of violence at an early age.

I urge my colleagues to vote "yes" for the rule, and vote "yes" for the crime conference report.

Mr. HOUGHTON. Mr. Speaker, I will not take much time to inject myself into the crime bill rule debate. Much, maybe too much, has already been said, and I must say I have seldom seen such emotion—much of it partisan emotion—on the part of grown people. It makes one wonder about the objectivity.

In any event, I support the rule of the crime bill—not because I think it favors Republicans. It does not. I support it because, in this particular case, the rule is the bill. This is not so in many cases, but it is here.

The bill also is not perfect. I give it a C+ rating, but it is an issue whose time has come. It is a first step, an important one, a timely one. If you don't take the first step, how do you get to the second or the third or the fourth. And there are many additional steps needed to battle crime.

I just think that we should not delay. It's always easy to say hold on; don't act. I do this myself. Sometimes I guess I'm right—sometimes not. But here the debate has gone on for years. We know the issues. We've decided on the major points. Let's get at it and move, move. If we're wrong we can change, but let's not be paralyzed and do nothing.

Mr. DELAY. Mr. Speaker, I rise today in opposition to the rule on this touchy-feely conference report on the crime bill. As we all know, the conference report was not submitted until 7:30 last night and is 900 pages long. Mr. Speaker, this does not give Members an opportunity to review the legislation.

Nevertheless, what we do know of the crime bill should seal its fate on the floor today. This bill is not really about crime and it is certainly not what the American people have asked for.

Mr. Speaker, the American people would not approve of this crime bill. A new study by the Luntz Research Co., reports that when people were asked how Federal tax dollars are spent on various crime measures, 69 percent supported more cops and 44 percent supported new prisons, while 48 percent opposed midnight basketball and new social workers as a poor use or complete waste of Federal tax dollars.

With \$32 billion in spending and 30 new social programs paid into a welfare system which has already cost taxpayers over \$5 trillion since 1965, we should learn the lesson that throwing money at problems for social programs doesn't reduce crime.

We know that the best way to prevent crime is take the 7 percent of criminals who commit over two-thirds of all violent crime and take them off the streets. And we can do this by building new prisons, implementing truth in sentencing, putting more cops on the streets, stopping endless habeas corpus appeals and implementing a real "3 strikes and you're out" provision, measures which were all included in the House Republican crime bill.

Instead, we have a bill that spends, spends, spends: \$1.8 billion for education, job training, and self-esteem programs, \$100 million for anything tangentially related to crime, \$630

million for children's arts and crafts, dance and other recreation, \$10 million for public housing to supplement the \$30 billion that HUD is already spending, \$200 million for assorted inner-city youth activities, \$6 million for urban parks and recreation, \$270 million for schools to coordinate social workers and teachers, \$50 million for youth development, \$3 million to search for missing alzheimer's patients, and of course, \$40 million for midnight basketball.

Mr. Speaker, I'm surprised the President didn't include his health care plan in the crime bill.

Moreover, the gun ban in this bill covers more than 180 firearms, affecting 50 percent of the gunowners in this country. Gun bans are fundamentally flawed because they affect the guns and not the criminals. I've never known a law that restricts law-abiding citizens decrease violent crime. We need to spend taxpayer resources keeping violent criminals off the streets, not levying more laws on law-abiding citizens. Let's crack down on the people who unlawfully pull the triggers.

Mr. Speaker, even the FBI Director, Louis Freeh has criticized this bill for downsizing two of the great crime-fighting organizations in our country: the Drug Enforcement Agency and the FBI.

I urge Members to defeat the rule on this bill. America doesn't need emptier pockets in the name of prevention. Let's take this bill back and give the American people a real crime bill.

Mr. YOUNG of Florida. Mr. Speaker, I rise in strong opposition to this rule and the conference report. In April, the House approved this measure as a modest effort to stem the rising tide of crime. Unfortunately, the bill has since returned from a House-Senate conference committee as a liberal's grab bag of social spending goodies, been given the name "crime bill" by the President and the House democratic leadership, and brought before us here today. Not since the 1960's and President Johnson's Great Society has the Congress of the United States considered such a broad social spending bill. In fact, not since Orson Wells broadcast of "War of the Worlds" has such a charade been perpetrated on the American people. It has been my frustrating experience that every attempt to enact strong anticrime legislation is blocked by the liberals of this House at every opportunity. It is clear that this is true again today.

As I said, Mr. Speaker, when the House began this effort earlier this year, the intentions of my colleagues and I, who support strong criminal reform legislation, was to pass a bill that would protect our people and our police by helping prosecutors and judges put away—and keep away—America's most violent offenders. We sought to put more police in our communities, strengthen the death penalty and limit the endless appeals process, provide life sentences for third-time violent offenders, enact truth-in-sentencing provisions that would ensure criminals serve out their prison terms, and provide funding to build prisons for their punishment.

During consideration of this legislation in April, we were successful in our efforts on several of these fronts. The House bill authorized funding for 100,000 officers on the streets, and provided grants to build and ex-

pand space in correctional facilities in order to implement specified truth-in-sentencing requirements. The bill imposed life imprisonment on persons who committed a third violent felony under Federal law and included language to end the seemingly pleasant treatment of prisoners. The bill prohibited the awarding of Pell higher education grants to inmates and strength training on weight equipment in Federal facilities. In addition, more than \$14 billion was authorized for new prison construction. And in an attempt to address the growing problem of illegal aliens in our jails, the bill increased border patrols and included new deportation procedures to speed deportation of aliens convicted of crimes.

Unfortunately, the moment this legislation left the House, the usual efforts began to water down the progress made in these areas, and beef up the bill's prevention programs. The result of those efforts is the legislation before us today. Rather than putting cops on the beat this bill puts strings on the purse by requiring hiring quotas and other bureaucratic conditions for receiving grants to hire police. The funding mechanism for these grants, proposed cuts in the budgets of the Federal Bureau of Investigation and the Drug Enforcement Agency, have led our Nation's chief law enforcement officer, FBI Director Louis Freeh, to criticize this legislation.

For States that don't want to comply with the truth-in-sentencing guidelines, there are loopholes which allow them to get prison funds anyway. In addition, funding for prison construction was nearly cut in half. Even more ironic is the way in which this legislation seeks to combat crime by retroactively ending mandatory minimum sentencing requirements. An act which could lead to the release of 10,000 convicted drug offenders.

But the big news of course is "Stimulus II", the \$9 billion in social spending which is essentially a reincarnation of President Clinton's 1993 pork-barrel stimulus bill which funds lots of "feel-good" programs that have no connection to crime. Lyndon Johnson called these programs the solution to ending poverty, today we're being told they will end crime. Even more outrageous is that all this money would go where the President or Cabinet Secretaries choose.

Here are some of the brilliant solutions to our Nation's crime problem contained in this bill. No doubt the mere mention of these programs will strike fear in the heart of the most violent criminal.

Youth Employment and Skills Crime Prevention (YES): A \$900 million program intended to test the proposition that crime can be reduced through a saturation of jobs. Saturation indeed, when you consider this is in addition to the current \$25 billion that the Government Accounting Office reports the Federal Government already spends on 154 job training programs.

The Local Partnership Act: \$1.8 billion to local governments in areas with high taxes, high unemployment and high crime. The Act provides grants for education, substance abuse treatment and job programs. Unfortunately, there is no enforceable condition that the funds be used to fight crime. To say that these programs are going to be funded for the purpose of preventing crime does not change



the basic idea that the whole purpose of this provision is another opportunity to spend money as fast as possible.

Drug courts: \$1.3 billion to governments, courts and private entities chosen by the Attorney General to provide benefits to criminals who are drug addicts. The benefits include child care, housing placement, job placement, vocational training and health care. Who says crime doesn't pay? I am sure that many of my constituents could use help in paying for child care or finding a house or a job, let alone health care. It is unfortunate that we would encourage them to become convicted drug addicts so they might receive such benefits.

Midnight sports: \$40 million to entities chosen by the Secretary of Housing and Urban Development to fund midnight sports leagues in high crime and drug use areas for youths that cannot sleep. I would suggest that we encourage our young to stay home, do their homework and get a good night's sleep before school the next day, not stay up until after midnight playing sports. There is plenty of time for organized sports after school.

Ounce of prevention: An interagency council made up of Cabinet Secretaries that will provide \$100 million for programs that promote arts, crafts, dance programs, and "life skills training." These may be worthwhile programs, but let's consider them on their merits. Not cloaked in a bill that is supposed to fight crime.

Mr. Speaker, crime is a serious problem in this country. The American people demand a serious response by the Congress and are insulted by the masquerade underway here. They want a tough anti-crime bill, not a return to the social welfare spending of the 1960's and 1970's. If these programs were the answer to crime, the street corners of our Nation would be far and away the safest in the world. We have already spent \$5 trillion on social welfare programs in 30 years. If the President wants these social programs he can request them in his budget and the House can vote up or down on their approval.

Mr. Speaker, we need to defeat this conference report and send it back to conference with the same message the American people are sending us—strip the social spending and focus on the good proposals we have already approved and which have a successful record in fighting crime. We did not come this far to pass an expensive economic stimulus package with an anti-crime label. Our constituents deserve better.

Mr. EWING. Mr. Speaker, I rise to oppose the rule on the omnibus crime bill. It is imperative that the conference committee renegotiate this bill to remove the expensive social programs and improve upon the law enforcement provisions. The conference committee's report has more to do with social welfare programs than it does with fighting crime.

I agree with FBI Director Louis Freeh's recent criticism of the crime bill because it redirects funds from the Federal Bureau of Investigation and the Drug Enforcement Agency to ineffective social programs. This Congress needs to get serious about fighting crime and pass a bill that assists law enforcement officials and keeps criminals behind bars.

The crime bill includes \$9.1 billion for prevention programs such as self-esteem class-

es, midnight basketball, and arts and crafts training. Many of these prevention initiatives are duplicative of programs already on the books which have had little or no effect in reducing crime.

The conference committee removed tough crime fighting provisions from the bill. Most surprising is the fact that the conference committee removed a provision which would make it a Federal crime to carry or use a gun during a violent crime. This provision would have targeted the most violent criminals in the United States.

Congress needs to pass a bill with certain penalties for those convicted of committing violent crimes. Let's send this bill back to conference and demand a tough crime bill.

Mr. KYL. Mr. Speaker, I rise in opposition to the rule to H.R. 3355, the crime conference report. I support many of the provisions of H.R. 3355, but the process by which this crime bill has been developed was marked every step of the way with partisan roadblocks.

Attempts to improve this bill have been rejected by the Democrat-controlled Rules Committee, from consideration on the House floor and in conference. These roadblocks have obstructed efforts to produce many tough, meaningful reforms to our criminal justice system. The bill was filed at 7 p.m. last night, which means the Rules Committee had 1 hour to review the document before voting on its rule. For Republicans, there has not been a complete conference document to refer to in order to know about specific provisions.

The responsible vote is to oppose the rule and send the measure back so improvements can be made. Improvements which will correct some of the missed opportunities and respond to the needs of law-abiding citizens, police forces, prosecutors, courts and prison systems around my home State and the rest of the Nation.

The legislation I have supported throughout this process, H.R. 2872, includes measures, among other things, to set mandatory minimum prison terms for violent crimes; provide funding for additional police officers; limit probation and parole; limit death row appeals and expand the death penalty; provide funding to fight illegal immigration and strengthen criminal alien deportation laws; increase penalties for crimes committed with guns; provide funding for prison space to incarcerate violent offenders; and, provide a good faith exception to the exclusionary rule.

Some of the provisions of our bill were included in the conference report, but other important provisions designed to fight violent crime, including a measure to allow evidence of prior sex crimes of the accused to be admitted in sex/child molestation cases, were not included despite instructions to House to do so. I will continue to fight for their passage.

According to the Uniform Crime Report, the violent crime rate in Arizona increased 129 percent between the years of 1975 and 1993. To make the changes necessary to ensure the safety of our citizens, this crime bill should be improved. Defeating the rule will allow for that.

If we know that we could reduce the problem of violent crime by 70 percent with just a few actions, would we do it? According to researchers at the University of Pennsylvania,

approximately 7 percent of criminals commit over 70 percent of violent crime. If we facilitate putting and keeping these criminals in prison, we eliminate the chance of being victimized by their actions.

The conference report, therefore, should be changed to more adequately provide prison construction funding for the States. The conference report includes only \$6.5 billion in state funding for prisons. Of that amount, up to approximately \$4 billion can be used by States for non-prison construction activities. The House is already on record instructing conferees to include \$13.5 billion in prison construction. And, according to government data supplied by Michael Block of the University of Arizona, between 1980 and 1990, and 10 States with the highest increase in their prison populations, relative to total FBI crime indexes, experienced, on average, a decline in their crime rates of more than 20 percent, while the States with the smallest increases in incarceration rates averaged almost a 9 percent increase in crime rates. Clearly, we can take a big step to better help States keep violent criminals off our Nation's streets and in jail by providing more prison funding.

The crime bill should also be changed to encourage States to ensure that violent, repeat offenders are locked up under "three-strikes-you're-out" and "truth-in-sentencing" laws. The conference report requires that under its "three-strikes-you're-out" provision the third strike be a Federal violent offense, which will result in only about 300 to 400 violent, repeat offenders being taken off our Nation's streets for good. According to Mr. Block, every day this year, 14 people will be murdered, 48 women raped, and 568 people robbed by criminals who have already been caught, convicted and then returned to the streets on probation or early release. The crime bill should be changed to increase the number of repeat offenders who will be put behind bars for good.

Another area in need of complete re-direction in the crime bill is the \$9 billion allocated for social programs. Given that, among other things, the crime bill, (a) only allocates a part of what is needed for prisons, (b) will only fund about a fifth of the 100,000 local police officers promised, and (c) has been criticized by the director of the Federal Bureau of Investigation for taking needed agent resources from the FBI and Drug Enforcement Administration, the responsible action to take is to send the crime bill back to conference to prioritize the spending in this bill.

For example, the Youth Employment and Skills Crime Prevention program in the bill includes over \$900 million for a jobs program for youth. The problem is that, according to the General Accounting Office, the Federal Government already spends \$25 billion on 154 Federal job training programs, many of them specifically designed for disadvantaged youth. Many believe this is illustrative of duplicative, wasteful programs which are funded in this crime bill and should be eliminated.

Another provision of the bill which should be sent back to conference is the semiautomatic weapons ban, which passed the House by a vote of 216 to 214 earlier in the year, and which I voted against. The biggest difference we can make to reduce crimes committed with

guns is not to infringe on law-abiding people's rights, but to significantly increase penalties for illegal use of guns. Several attempts were made to increase penalties in this bill for crimes committed with guns, and, even though the House has voted to instruct conferees to increase these penalties, ultimately they were rejected by the Democrat-controlled conference committee. That should be corrected.

There are other important issues, such as the "good faith" exception to the exclusionary rule, which allows evidence obtained by police in good faith to be admissible in court even if its seizure was beyond the technical scope of the Fourth Amendment. Several attempts were made to include this measure in the bill but, again, the Democrat-controlled House rejected those attempts.

The direction on this bill should be clear. The Congress should take this opportunity to be responsible, vote down the rule and send this bill back to the drawing board where the questionable provisions can be taken out, strengthening amendments can be added and the rights and safety of law-abiding citizens can be protected.

We have the opportunity. Do the right thing. Vote against the rule on this bill.

Mrs. ROUKEMA. Mr. Speaker, I rise in support of this rule and this conference report and would urge my Republican colleagues to do the same.

I know that many of my colleagues have discovered various reasons to oppose this legislation and there are portions of this bill that I do not support. But on balance, with our country facing an epidemic of violent crime, this legislation represents progress.

If we fail to act now, we will have to answer to the countless victims of a failed criminal justice system.

The American people know it. We must control crime and close the revolving door of the criminal justice system. Our laws must punish the criminal and safeguard law-abiding citizens. We must take back our streets.

This bill is not perfect.

Let me repeat: This bill is not perfect.

Do I support midnight basketball? No.

Do I think we should be handing \$1.8 billion for the Local Partnership Act to the Clinton administration and big-city mayors. Absolutely not.

Yes, we need habeas corpus reforms. We need tougher truth-in-sentencing. Police should have a good faith exemption to the exclusionary rule. The provisions on sexual predators are not strong enough.

So why am I voting for this rule and this bill?

Because my constituents are being forced to look over their shoulder as they walk the dog in their own neighborhood, to worry about the security of their children's playground, and to huddle in their homes for fear of going to the nearby shopping center.

Because Jack and Arlene Locicero and sister Cary of Hawthorne, NJ are living today with the loss of a precious daughter killed at random by a madman on a commuter train last December and I promised the Lociceros that I would not let Amy be just another statistic, some good must come of their tragedy.

Mr. Speaker, the Lociceros and the American people are counting on us to take back our streets!

This bill puts 100,000 new cops on the streets many of them in community policing programs.

This bill hires close to 100,000 new border patrol agents to battle the rising floodtide of illegal immigration.

This bill contains the "three strikes you're out" provision to lock up repeat violent offenders.

This bill contains an expanded Federal death penalty.

This bill will build new prison space in every state in the Union.

That's precisely why it is supported by a range of law enforcement organizations: The National Association of Police Organizations, the Fraternal Order of Police, National Sheriff's Association, the National District Attorneys Association, the National Association of attorneys General, the International Brotherhood of Police Officers, the Police Foundation, the Federal Law Enforcement Officers Association, to name just a few.

The American people want us to act and act now. They can't wait. They should not have to. Pass the rule. Pass the crime bill.

Mr. KOLBE. Mr. Speaker, I rise in opposition to the rule on this so-called crime bill conference report. Since my constituents first sent me to Congress to represent them, I have pushed for crime control measures that put personal safety above political expediency. But, Mr. Speaker, I could not look my fellow Arizonans in the eye and honestly say that this bill puts people over politics. That is why I am voting against this rule; it is the only opportunity for us to send this bill back to conference and make the conferees fix this bill so that it attacks crime and gives law enforcement the tools to fight criminals.

I know about the terrible crime problem southern Arizonans face almost daily. I hear from them about their fears and frustrations. It is easy to understand why crime is America's number one concern. But despite their concern with crime, this crime bill has not been embraced by the public. Why? I think it is because people realize it will be ineffective in the fight against violent crime while costing taxpayers over \$33 billion. Americans know this Nation has a dysfunctional criminal justice system—a system that releases dangerous criminals into the community when they should be serving their sentences, a system that gives more weight to the rights of criminals than to victims, and makes it impossible to carry out the death penalty when it is imposed. And this conference report is dysfunctional—like the system it seeks to reform.

Even key criminal justice experts have spoken out against the crime conference report. FBI Director Louis Freeh criticized the bill, saying it would hurt local and Federal law enforcement more than it would help by robbing them of funds. Princeton professor John J. Dilulio, Jr., a Democrat who is widely recognized as the Nation's foremost student of criminal justice issues, originally supported the administration's anticrime proposals. He supports a ban on assault weapons, and he supports some social spending. However, he argues that the bill reported by the conference should be abandoned. "It will do nothing to reduce the country's crime problem," he says, "In fact, it may actually add to it."

Let us look at why this bill will do nothing to fight crime.

First, this bill does not address what I, and Members from both parties, have fought for—procedural reform, not redistribution of wealth through grant programs. This conference report contains no habeas corpus reform, no exclusionary rule reform, and weakened Federal death penalty provisions. In short, this bill does nothing to ensure swift punishment for the guilty.

Additionally, the conferees stripped or weakened many of the tough anticrime provisions included in the original House and Senate bills. For example, provisions allowing prosecutors to treat violent juveniles 13 and older as adults in appropriate cases were eliminated. Provisions passed by the House to strengthen death penalty procedures were stripped. Mandatory HIV testing of accused rapists was erased. The provision allowing for the admissibility of evidence of similar crimes in sex offenses was dropped. These are just a few examples that were stripped from the bill.

The much praised cops-on-the-beat program will quickly become a huge burden for communities because the numbers do not add up for this program. The \$8.85-billion community policing grant program will only provide enough funding to keep 20,000 permanent cops on the street over the next 6 years. To keep 100,000 cops on the beat for the next 6 years, States and localities will have to kick in over \$30 billion to make up the difference. I have personally spoken to sheriffs and police chiefs in my district who are wary of this too-good-to-be-true provision.

This bill is flawed because it could put twice as many social workers on the streets as it does cops. It authorizes \$8.7 billion to create nearly 30 new crime prevention programs. This is added to the welfare state that already costs taxpayers \$310 billion per year. The United States has spent \$5 trillion on the War on Poverty since 1965, yet the national crime rate has not declined. The new programs created will duplicate at least 50 existing federally funded crime prevention grant programs. These programs are in the bill to garner support from an interest group within Congress, and these programs have escaped scrutiny. These programs are little more than infrastructure, social, and job training programs under a crime prevention label. Make no mistake; some social prevention programs have been successful, but if the Federal Government is to fund programs, we should at least make sure that the money will not be wasted on liberal social engineering.

I support the construction of new prisons, but the money for this purpose—\$10.5 billion—is not what it is cracked up to be. Over \$2.2 billion of that money is not financed and \$1.8 billion of the funding goes to housing criminal illegal aliens. Although I support reimbursing States for the cost of incarcerating convicted illegal aliens, this money will go to States as decided by the Attorney General—not necessarily to those who need it. All told, the total trust fund funds going to build prisons is \$6.5 billion. But there's more: States and localities are not required to actually build prisons, and can instead use the funds for any activity affecting prisoners postconviction. They could fund anything from half-way houses to



macrame classes, as long as those utilizing the funds have been convicted.

I also oppose the assault weapons ban and the ban on gun magazines that hold more than 10 rounds of ammunition. I believe this ban is of at least dubious constitutionality, and will do nothing to make our streets safer.

This bill represents what my constituents are sick and tired of—politics as usual. This \$32-billion bill is a perfect example of fiscal incompetence and a back-door channeling of taxpayers' dollars towards special-interest groups and political payoffs. Congress is authorizing more money than ever before for a crime prevention bill which is a product of dishonest government playing on the fears that every American is experiencing.

The process used by House leadership is just as dishonest. Members have had barely 6 hours to examine the 450-plus page conference report which just appeared in the CONGRESSIONAL RECORD. Just as the American people are demanding that they have a chance to examine health care proposals before they are voted on, they also demand that we have the opportunity to read and understand the crime bill before we vote on it.

We have a criminal justice system that releases dangerous criminals into the community when they should be serving their sentences, that gives more weight to the rights of criminals than to victims, and makes it impossible to carry out the death penalty when it is imposed. We need to defeat this rule and send the conference report back to the drawing board so that Congress can bring back a crime bill that will do the job. The Federal Government should be assisting States and local governments in their efforts to lockup criminals, protect victims' rights, and provide the tools to make law enforcement even more effective.

I urge my colleagues to defeat this rule.

Mr. DERRICK. Mr. Speaker, I yield the balance of my time to the distinguished Speaker of the House, the gentleman from Washington [Mr. FOLEY].

Mr. FOLEY. Mr. Speaker, my colleagues, I think everyone knows that it is relatively rare for the Speaker to leave the chair and to speak in the well in debate on an issue. It is also very rare for him to vote. That is the tradition of the House. Like everyone else, I have the right to vote, and I will exercise it in voting for this rule and in voting for this bill.

I do so because frankly I think it is a key vote, not for the President, and I was glad to hear our distinguished Republican leader talk about our President as "our" President. I have served here for 30 years. Richard Nixon was my President, our President, Ronald Reagan was our President, George Bush was our President, and Bill Clinton is our President.

But it is not about the President. It is about our responsibility as Members of the Congress to our constituents, the people in all the 435 districts and the 5 territories that are represented here in this Chamber. This is the great collection, the Congress of the American people.

And what are the American people telling us? They are telling us that after we have spent trillions of dollars rightfully, and I voted for those trillions of dollars to defend our country against foreign threat, their most deep concern is for their security and the security of their families on the streets of our own cities and not on the beaches or air space of other countries, or some foreign threat. We have conquered every reasonable threat that could be placed against our people from outside the country, but inside the country elderly people, and children, and families are afraid to go on the streets at night in their own communities. They have asked us to respond to that fear.

It always seems that we get to that point and something intervenes. We passed the bill in the last Congress. It was filibustered in the Senate. And now procedural objections suggest we should not even vote on this bill, we should not even respond "yes" or "no."

I have a respect for anyone on either side of this aisle who says that he things or she thinks this bill should be voted down, but I say, "Let the American people know your reasons, and let them know your vote. To govern is to choose on the issue that the American people believe is the most central to their immediate concerns, their most deeply felt concerns about security in the future."

This is a vote we cannot avoid and should not avoid. We should stand up, and cast our votes, and explain to our constituents the reasons for our actions. That is the very minimum of what our constituents expect us to do.

In all the years that I have been in Congress, and I have been here 30 years, I have seen times in my experience when I thought votes were, perhaps, even more crucial than the vote that we are casting today; not many, but some. But this is a truly crucial and seminal vote, and it will determine, I think, not only the confidence in the country in our ability as an institution to respond to their concerns and needs, but it will make a very real and tangible difference in the lives of my constituents in eastern Washington, in the towns and cities of this largely rural part of our country.

I used to be a deputy prosecutor. The days of my experience in law enforcement have been exceeded many, many times by the threats that exist in my communities as well as those of my colleagues. Let us not be a helpless giant in response to the demands and concerns of our people. Let us respond to their most deeply felt needs and concerns. The society that cannot protect the physical security of their citizens is a pretty useless society whatever else it can accomplish.

My colleagues, let us vote for this rule. Let us vote for this bill.

Mr. DERRICK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. RUSH). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. GOSS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 210, noes 225, not voting 0, as follows:

[Roll No. 394]

#### AYES—210

Abercrombie	Furse	Minge
Ackerman	Gejdenson	Mink
Andrews (ME)	Gephardt	Moakley
Andrews (NJ)	Gibbons	Montgomery
Andrews (TX)	Glickman	Moran
Applegate	Gonzalez	Morrell
Bacchus (FL)	Gordon	Murphy
Baessler	Grandy	Murtha
Barca	Green	Nadler
Barlow	Gutierrez	Neal (MA)
Barrett (WI)	Hall (OH)	Neal (NC)
Becerra	Hamburg	Oberstar
Bellenson	Harman	Obeys
Berman	Hastings	Oliver
Bevill	Hefner	Owens
Bilbray	Hinchey	Pallone
Bishop	Hoagland	Pastor
Blackwell	Hochbrueckner	Payne (NJ)
Blute	Houghton	Pelosi
Boehlert	Hoyer	Penny
Bonior	Hughes	Pickle
Borski	Hutto	Pomeroy
Brooks	Inslee	Price (NC)
Brown (CA)	Jacobs	Quinn
Brown (FL)	Jefferson	Ramstad
Brown (OH)	Johnson (CT)	Reed
Bryant	Johnson (GA)	Reynolds
Byrne	Johnson (SD)	Richardson
Cantwell	Johnson, E.B.	Roemer
Cardin	Johnston	Rose
Carr	Kanjorski	Rostenkowski
Clayton	Kaptur	Roukema
Clement	Kennedy	Rowland
Clyburn	Kennelly	Roybal-Allard
Coleman	Kildee	Rush
Collins (IL)	Kieccka	Sabo
Collins (MI)	Klein	Sanders
Condit	Kopetski	Sangmeister
Conyers	Kreidler	Sawyer
Coppersmith	LaFalce	Schenk
Coyne	Lambert	Schroeder
Cramer	Lantos	Schumer
Darden	Lehman	Serrano
DeLauro	Levin	Sharp
Dellums	Lipinski	Shays
Derrick	Lloyd	Shepherd
Deutsch	Long	Skaggs
Dicks	Lowey	Slattery
Dingell	Maloney	Slaughter
Dixon	Mann	Spratt
Dooley	Manton	Stark
Durbin	Margolies-	Studds
Edwards (CA)	Mezvinsky	Swett
Edwards (TX)	Markey	Swift
Engel	Martinez	Synar
English	Matsui	Thompson
Eshoo	Mazzoli	Thornton
Evans	McCloskey	Torres
Farr	McDermott	Torricelli
Fazio	McHale	Towns
Filner	McKinney	Traficant
Fingerhut	McNulty	Tucker
Flake	Meehan	Valentine
Foglietta	Meek	Velazquez
Foley	Menendez	Vento
Ford (MI)	Meyers	Visclosky
Ford (TN)	Mfume	Waxman
Frank (MA)	Miller (CA)	
Frost	Mineta	

Wheat	Woolsey	Wynn
Whitten	Wyden	Yates

NOES—225

Allard	Grams	Peterson (MN)
Archer	Greenwood	Petri
Arney	Gunderson	Pickett
Bachus (AL)	Hall (TX)	Pombo
Baker (CA)	Hamilton	Porter
Baker (LA)	Hancock	Portman
Ballenger	Hansen	Poshard
Barcia	Hastert	Pryce (OH)
Barrett (NE)	Hayes	Quillen
Bartlett	Hefley	Rahall
Barton	Herger	Rangel
Bateman	Hilliard	Ravenel
Bentley	Hobson	Regula
Bereuter	Hoekstra	Ridge
Billakis	Hoke	Roberts
Bliley	Holden	Rogers
Boehner	Horn	Rohrabacher
Bonilla	Huffington	Ros-Lehtinen
Boucher	Hunter	Roth
Brewster	Hutchinson	Royce
Browder	Hyde	Santorum
Bunning	Inglis	Sarpalius
Burton	Inhofe	Saxton
Buyer	Istook	Schaefer
Callahan	Johnson, Sam	Schiff
Calvert	Kasich	Scott
Camp	Kim	Sensenbrenner
Canady	King	Shaw
Castle	Kingston	Shuster
Chapman	Klink	Siskiy
Clay	Klug	Skeen
Clinger	Knollenberg	Skelton
Coble	Kolbe	Smith (IA)
Collins (GA)	Kyl	Smith (MI)
Combest	Lancaster	Smith (NJ)
Cooper	LaRocco	Smith (OR)
Costello	Laughlin	Smith (TX)
Cox	Lazio	Snowe
Crane	Leach	Solomon
Crapo	Levy	Spence
Cunningham	Lewis (CA)	Stearns
Danner	Lewis (FL)	Stenholm
de la Garza	Lewis (GA)	Stokes
Deal	Lewis (KY)	Strickland
DeFazio	Lightfoot	Stump
DeLay	Linder	Stupak
Diaz-Balart	Livingston	Sundquist
Dickey	Lucas	Talent
Doolittle	Machley	Tanner
Dornan	Manzullo	Tauzin
Dreier	McCandless	Taylor (MS)
Duncan	McColum	Taylor (NC)
Dunn	McCrery	Tejeda
Ehlers	McCurdy	Thomas (CA)
Emerson	McDade	Thomas (WY)
Everett	McHugh	Thurman
Ewing	McInnis	Torkildsen
Fawell	McKeon	Unsoeld
Fields (LA)	McMillan	Upton
Fields (TX)	Mica	Volkmer
Fish	Michel	Vucanovich
Fowler	Miller (FL)	Walker
Franks (CT)	Mollinari	Walsh
Franks (NJ)	Mollohan	Washington
Gallely	Moorhead	Waters
Gallo	Myers	Watt
Gekas	Nussle	Weldon
Geren	Ortiz	Williams
Gilchrest	Orton	Wilson
Gillmor	Oxley	Wise
Gilman	Packard	Wolf
Gingrich	Parker	Young (AK)
Goodlatte	Paxon	Young (FL)
Goodling	Payne (VA)	Zeliff
Goss	Peterson (FL)	Zimmer

□ 1714

Mr. HAYES changed his vote from "aye" to "no."

So the resolution was not agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### REQUEST BY MEMBER TO ADDRESS THE HOUSE FOR 1 MINUTE

Mr. GINGRICH. Mr. Speaker, I ask unanimous consent to proceed out of order for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mrs. COLLINS of Illinois. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

#### REQUEST BY MEMBER TO ADDRESS THE HOUSE FOR 1 MINUTE

Mr. THOMAS of California. Mr. Speaker, I ask unanimous consent to proceed out of order for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

Objection is heard.

#### REQUEST FOR GENERAL LEAVE ON HOUSE RESOLUTION 517

Mr. DERRICK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the debate of House Resolution 517.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. SOLOMON. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

#### LEGISLATIVE PROGRAM

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I would just like to make one comment. That is this, Mr. Speaker. We take it on the chin all the time, and I do not understand why the liberals cannot at least once in a while show a little tolerance.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GEPHARDT. Mr. Speaker, I would like to announce to the Members of the House that I think it would be advisable if we do not go forward with the remaining business on the schedule today, and return to it tomorrow.

I also would like to tell Members that a little later today we hope to be able to give a more definitive judgment on what will go on beyond tomorrow. We are not prepared at this moment to do that, but we will do that as quickly

as we can a little bit later this afternoon.

Mr. Speaker, I think it would not be, perhaps, wise to go forward with more business this afternoon.

Mr. GINGRICH. Mr. Speaker, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from Georgia.

Mr. GINGRICH. Mr. Speaker, I appreciate the gentleman from Missouri yielding to me.

Mr. Speaker, all I wanted to say earlier was, this is one of several very serious national issues we are trying to deal with. We often have disagreements of a variety of kinds here. We would hope that we could go back to conference, as that is what this vote signals, and that we could work together and produce a bill on which we could vote for a rule.

Mr. Speaker, we sent a letter that the gentleman from Illinois, Mr. MICHEL and Mr. HYDE, the gentleman from Florida, Mr. MCCOLLUM, the gentleman from Texas, Mr. ARMEY, and I signed indicating what we would be willing to talk about and things we can work out together. I do not think the House should leave tonight with the feeling that this is at a dead end. I hope we can pick this up tomorrow and work in conference and produce something together.

Mr. Speaker, I appreciate the gentleman yielding to me.

Mr. Speaker, for the RECORD I include the letter just referred to, addressed to the President of the United States, dated August 9, 1994:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, August 9, 1994.

HON. WILLIAM J. CLINTON,  
President of the United States, the White House,  
Washington, DC.

DEAR MR. PRESIDENT: Contrary to the assertions of some in your Administration, the crime conference report is not stalled because of the assault weapons provision, but instead due to the more than \$9 billion in new social welfare spending. We are writing to offer our assistance in moving a real crime bill that will get more police on the street and more violent criminals in prison now.

Mr. President, you have been quoted in the press as touting this bill as the largest crime bill in history. But bigger doesn't necessarily mean better. In a matter of days or even hours, the law enforcement provisions of the crime bill could be beefed up and the social welfare spending dramatically trimmed down to produce a product that will crack down on violent crime, but not bust the budget.

Specifically, we are willing to work with you and congressional Democrats to revise the crime bill in the following ways:

Restore the new State prison funding to the \$13.5 billion passed by the House, allocated under the terms of the so-called Chapman formula currently in the bill.

Restore the so-called Gekas provisions passed by the House to strengthen the death penalty procedures.



Follow the overwhelming view of the House shown by its motion to instruct conferees and restore the Dole-Molinari-Kyl provision on the admissibility of evidence of similar crimes in sex offenses.

Remove the hiring quotas and other bureaucratic conditions on receiving grants to hire police.

Remove the more than \$9 billion in social welfare spending and replace it with the Senate's full funding for the Byrne grant program to ensure that the money we spend in this bill is truly directed at crime prevention.

Many Republicans have other concerns about this bill, but we believe that if you and congressional Democrats strengthen the crime bill along the lines suggested above, you would have overwhelming Republican support—and overwhelming support in Congress as a whole—for this truly tough, anti-crime legislation.

Because we realize that there are some in your party who feel strongly about the new social spending provisions, Republicans would be willing to support a rule allowing for the consideration of a social welfare spending package as a separate bill after we have passed the consensus crime bill outlined above. That means Congress would have an opportunity to both pass a tough anti-crime bill that puts more police on the street and more violent criminals in prison, and consider a package of new social welfare spending. This approach would avoid the gridlock that has developed within your party as a result of the current strategy of tying these issues together in one bill assuming that Members will hold their nose and vote for anything that has police and prison funding.

The American people are demanding action now on a tough anti-crime bill. We look forward to working with you to draft such a bill this week so that we can move immediately to consideration of a bill that commands overwhelming bipartisan support.

Sincerely,

BOB H. MICHEL,  
*Republican Leader.*  
DICK ARMEY,  
*Conference Chairman.*  
NEWT GINGRICH,  
*Republican Whip.*  
HENRY HYDE,  
*Policy Committee*  
*Chairman.*  
BILL MCCOLLUM,  
*Conference Vice Chair-*  
*man.*

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from Illinois [Mr. MICHEL], the minority leader.

Mr. MICHEL. Mr. Speaker, if we are to have no further business today, and there is this consultation that will take place here that will give us some indication of the schedule for tomorrow or next week, would we have a notice, then, to the majority and minority rooms to get out a whip notice of how that will work?

Mr. GEPHARDT. Mr. Speaker, that is correct. As soon as we can do this consultation, we will be in consultation with the minority. Then we can make a joint statement available through the Cloakrooms.

Mr. MICHEL. I thank the gentleman.

#### GENERAL LEAVE

Mr. DERRICK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Resolution 517.

The SPEAKER pro tempore (Mr. KILDEE). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### URGING BIPARTISAN COLLABORATION ON THE HEALTH CARE REFORM BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. HORN] is recognized for 5 minutes.

Mr. HORN. Mr. Speaker, we saw a dramatic event in the modern life of the House just a few minutes ago: A rule was turned down. It was not supported by a majority of the majority in this Chamber. That rule was turned down because it reflects one of the problems that a number of us have been talking about over the last week and a half, since we heard of the schedule that was set for consideration of the health care legislation.

Mr. Speaker, the various bills that relate to health care are among the most important that the 103d Congress will consider. Indeed, you could say, since it involves 14 percent of the American economy, it is the most important piece of legislation that the House of Representatives will have acted upon in a generation.

Many of us believe, and have long believed, that it is essential to have proper coverage for American citizens in terms of health insurance. Reasonable people can disagree on the way that goal is to be achieved.

Mr. Speaker, the shocking thing I have found in being a Member of this Chamber for a year and a half is that there has been very little bipartisan collaboration between the leadership of the majority party and the rest of us. However, there are two bipartisan bills which a lot of us support, the so-called Cooper-Grandy bill, and the Rowland-Bilirakis bill.

□ 1730

Hopefully they will not be preempted by the Committee on Rules which was overruled today, because many of us are unhappy with the authoritarian way legislation is considered in this House. Try to find out what the Committee on Rules said or was going to

say, try to find the conference report as was well-described to the House this afternoon. The conference finished in late July. The first time we saw a printed report of the conference on the Republican side was at 3:20 p.m. this afternoon, August 11.

There is something wrong with a system where we constantly waive the mandate of the 1946 Legislative Reorganization Act which said reports ought to be available for 3 days prior to consideration in the House. Hopefully on health care, the current schedule will also be overthrown by the leadership that established it. Hopefully some of the people listening to the House proceedings will have written, phoned, faxed the leadership of this Chamber to say, we think our Representatives have a right to study the thousands of pages that are not yet printed, except in the CONGRESSIONAL RECORD, but in a formal bill sense, we think they have a right to analyze it and discuss it, but more important, to go home, to talk to the constituency that sent them here and hear from the people in your district as to the impact of this legislation before we have a vote in this Chamber. To have a vote on health care next week when nobody has read these bills but perhaps the author is an absolute insult to this institution. I would think that the degradation that has been brought to this institution by the type of arbitrary conduct we have seen in closed rules, few chances to amend, few chances to have amendments considered on the floor, I think back to the campaign finance reform effort. There was the Democratic bill, and there was the Republican bill. The bill that should have been considered was the bipartisan bill headed by the gentleman from Oklahoma [Mr. SYNAR] and the gentleman from Louisiana [Mr. LIVINGSTON] on our side. We had 5 or 10 bipartisan coauthors. Yet that bill, which would have passed this House, never was brought to the floor. The reason it was never brought to the floor was that it could pass this House.

As one friend of mine in the Democratic leadership said to me last year when I had a proposal to the Committee on Rules, "STEVE, you know we can't clear that. If we sent it to the floor, it would pass."

Well, the last I knew, not just from grammar school civics but from high school civics and political science was that the people's house was the place that ideas should be considered and should be voted up or down. We do not have the freedom to debate as they do in the Senate. We do not have the freedom to tie and place in knots as they do in the other body, but we do have the freedom to vote if only we can get the legislation before us. This is why we see over 25 discharge petitions. Thanks to the courageous leadership of the gentleman from Oklahoma [Mr. INHOFE], we have freed up the discharge petition process.

Mr. Speaker, we came as a class of reformers, Republicans and Democrats. I have not heard much from the Democratic side on some of these key reforms, but certainly the aroused Republican freshmen, upset about this schedule on health care and wanting to meet with our constituents, we hope the leadership will take the turndown of the rule on the crime bill, and I might say I support the crime bill but I voted against the rule simply because of the arbitrary actions being increasingly taken in this Chamber. The sooner the Democrats join the Republicans in wanting to liberalize the process of this Chamber, the better off this Nation will be.

#### THE UPCOMING MEXICAN ELECTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. KOLBE] is recognized for 5 minutes.

Mr. KOLBE. Mr. Speaker, 2 days ago I took a 5-minute special order in order to discuss the forthcoming elections in Mexico with my colleagues. Considering all the critical issues that we are dealing with here, I know it is very hard for us to turn our attention to something which seems as remote as that and far removed from our own domestic policy concerns as well as our own domestic political concerns. But I want to take this 5 minutes just to continue to share a few observations based on my visit to Mexico this past weekend where I had an opportunity to meet with election officials as well as political party individuals and to see some of the work that is going on with regard to this election. Because, Mr. Speaker, I think this election is not only, as I said 2 days ago, the most important in Mexico's history, this election may also be one of the most important for the United States for our foreign policy in Latin America and certainly for our relationship with Mexico.

It is my view that the Government of Mexico has done everything that is conceivable to try to ensure a fair and open and free election, one that is devoid of the kind of manipulation that has characterized past elections in Mexico. That is not to say, Mr. Speaker, that there will not be inequities in the election, that there would not be things that would be characterized as illegalities or unusual procedures, but I believe that at the level of the Government of Mexico, every effort is being made to minimize those and to assure that that does not occur. But an election as we know consists of thousands and tens of thousands of people all over the country manning polling booths from the large cities to the small communities in that country as well as it would in this country. So some of inequalities and the illegal procedures

that may creep in may be done at a very local level.

What is the outlook for this election? There are three major candidates and four others who are minor candidates who are running. The three major candidates represent the party of the government, the PRI; they represent the traditionally conservative market-oriented party called the PAN; and the leftwing, or more liberal party, the PRD. The PRI has not lost an election since 1927 when it was formed. It is likely this time, in my judgment, to come out on top with the vote but probably for the first time in its history without a majority. Obviously, I cannot say. My judgment is only based on conversations and polling data that I have seen, not on anything else that I could judge. But I believe that it is likely that we will see a victory by a plurality perhaps for the PRI but with very close following by both the PAN and the PRD. That is going to mean a very major change in the politics within the country of Mexico, because it will mean that this government for the first time cannot claim to have the mandate of the majority of the people of Mexico. We have had that historically in our country in many, many elections and, of course, our current President was elected with considerably less than 50 percent of the electorate. But that does not mean he cannot govern and it does not mean that the President of Mexico would not be able to govern. But it does mean reaching a different kind of consensus than has been done in the past in order to achieve a government that can work effectively with minority parties.

Mr. Speaker, I believe that these elections are of enormous importance to Mexico as they proceed with the transformation of their country to a democracy. The changes that have taken place in Mexico under President Salinas have been enormous, but they have been largely geared toward economic reform. Now we are seeing the next step. Even as I argued the other day in the China MFN debate that increased trade and increased economic activity will lead to increased political freedom, that is exactly what we are seeing in Mexico.

So I want to urge my colleagues as we finish up our work around here for the month of August, before we go home, to try to keep some of their attention on this absolutely critical election for our neighbor to the south of us, a neighbor with a rapidly growing economy, a neighbor with 85 million people in it, a neighbor which is vital to our own interests in Latin America and the world. I know that all my colleagues join in wishing the Mexican people well in this election as they move toward a transformation to democracy.

□ 1840

#### CONGRESSIONAL ACCOUNTABILITY AND HEALTH CARE REFORM

The SPEAKER pro tempore (Mr. LEHMAN). Under a previous order of the House, the gentleman from Washington [Mr. KREIDLER] is recognized for 5 minutes.

Mr. KREIDLER. Mr. Speaker, yesterday we passed the Congressional Accountability Act, which brings Congress under the same regulations as other employers. We also voted to add health care reform to the list of laws—so that whatever health care reform we pass will apply to Congress too.

This wouldn't have happened without pressure from those of us in the freshman class. We know that Congress ought to play by the same rules as everyone else. There's no excuse for letting Congress off the hook for the laws we pass.

It's about time. Congress enacted the Fair Labor Standards Act in 1938, the Civil Rights Act of 1964, the Occupational Safety and Health Act of 1970, the Americans with Disabilities Act in 1990. These are good laws, and all other Americans are supposed to follow them. Now Congress will too.

Next week we will decide whether every American family deserves the same kind of health coverage we and our families have. Members of Congress don't have a special health plan—we have the same plan as other federal employees. Members of Congress don't get free health care—we pay for part of our premiums just like other federal employees.

But there's no question that we have a good deal—shared responsibility, security, choice, and quality. And I think every American ought to get just as good a deal.

But some of the people on this floor don't agree with that. They don't want to guarantee health security for everyone. They think that means too much Government. They think health care reform is too tough, too hard, too complicated to pass. They're afraid of making the real decisions on this issue. But in my State of Washington we've already done this, and I'm here to tell you, if my State has the guts to confront this issue, then we ought to be able to do it here.

So I hope people who don't want reform this year, who don't think we need it, who think we ought to wait—I hope they'll be the first to volunteer to give up their health security, right after they vote to take it away from others.

I don't plan to vote that way.

I plan to vote for the Guaranteed Health Insurance Act, because it does what the American people want and deserve: Health security for everybody. Keeping the cost of care from spiraling out of control. Guaranteed choice of health plans and doctors. Maintaining



the high quality of care in America. Keeping health insurance in the private marketplace. Letting States like Washington move forward with their own plans.

I hope my colleagues who don't share those goals will be the first to step forward and give up their health security.

### THE CRIME BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN. Mr. Speaker, there is nothing unseemly after a historical vote to come to the well and gloat, but there is nothing wrong with giving good advice that would serve the good of the commonwealth and the people of this country.

This rule that we just voted on on the conference report was on a bill called a crime bill. It was not titled a crime and criminal welfare bill, but obviously what caused it to go down by a vote of 225 to 210, with 11 Democrats voting the way Mr. FOLEY requested they vote and 58 Democrats, 88 days from the eve of an election, voting against the leadership of their party, 58 Democrats voting 88 days out from the evening before the November 8 election. That means that there was some fatal flaw in this crime bill, and the fatal flaw was the larding on of social and criminal welfare pork.

This bill started out about in the neighborhood of the billions of dollars of the defeated, so-called stimulus bill of Clinton, somewhere in the high teens of billions. Suddenly it was into the \$22 billion, \$25 billion, \$28 billion a few weeks ago, and it ends up over \$33 billion, and almost a half chunk of it for all of these bizarre new entitlement programs that, like all of the entitlement programs of the last 40 years, start on a growth and then suddenly on their growth charts they take off into almost a near vertical climb.

This was a good defeat for the rule on this, and as the minority whip, Mr. GINGRICH said just a little while ago, let us come back tomorrow, the leadership of both parties in an inclusive way of the loyal opposition here and come up with a crime bill.

If Members think there was tension here, if they think it was fair for the press to describe our Speaker's expression as distraught, Mr. FOLEY is distraught, think of how they feel at the White House, think of how they are coaching Dee Dee Myers to spin this major defeat for Bill Clinton who was for all of the pork just larded into the so-called crime bill. They are pretty distraught down at the White House.

I will give him advice that is good for his party and for any potential, as remote as it may be, for him having a second term, and that is if he wants a crime bill, then focus on helping vic-

tims and on locking up criminals. Liberal Democrats think it is a joke. But the average American cannot stand the thought of color televisions, color pornography, Nautilus equipment in gymnasiums in prison, college courses leading to degrees, and they sure as hell, Mr. Speaker, do not want dance programs in the prisons of the United States with murderers leading one week and child molesters leading the step dancing to good country music the next week.

No, this bill was one of the strangest thing we have ever seen.

The remarkable travesty of the crime bill is think like, look, Mr. Speaker, we have spent \$5 trillion on social programs since President Johnson's so-called Great Society program and what do we have for that? We have a 500-percent increase in violent crime since we have been throwing money at all of the broken families of this country. Liberals on the other side of the aisle seem to be obsessed with society's root causes. According to them everybody who commits a crime is not a criminal but a victim of poverty, bigotry, societal injustice. It is a perverse, absurd continuation of the funny line from the great Leonard Bernstein Broadway musical where the tough kids in that show sing to Officer Krupsky: "We ain't depraved, we're deprived," and that was in the middle 1950s that that musical won all of the Tony awards on Broadway.

There is such a thing in society and in all societies as good, as evil. There are people who look at all of the options and decide that that tail-end line of the great radio show, *Gangbusters*, when I was a kid that echoed in the chambers, "Crime does not pay," there are young men and now young women who look and say crime absolutely does pay.

□ 1750

One of the safest crimes is to rape somebody if they will not date you. You know, the odds are 99 out of 100 you will never see a day of time if you violently rape some human being who does not want, who does not know you, if they do know you, does not want any part of you.

Crime pays, and they are evil people opting for crime, and we must lock them up, Mr. Speaker. Bring back a real bill and watch it win overwhelmingly. You bring back a bill focused on criminals, you get 100 percent of us on our side of the aisle.

Mr. DORNAN. I repeat, the most remarkable travesty of the crime bill is the billions of dollars spent on social welfare schemes that have, time and again, proven to be a complete failure. This presumption of root causes is what motivated Democrats to come up with misguided resurrections of failed social solutions from the past. In fact, the crime bill adds \$8.7 billion to fund

30 new social welfare spending programs, many of which duplicate already existing programs that have had no effect whatsoever on crime rates. That represents nearly one-third of the funding in this bill.

Some examples are the millions of dollars to be spent on "community-based organizations" that will shower crime-prone youth with programs like midnight basketball, dance classes, and arts and crafts. While I have nothing against teaching kids how to shoot hoops and knit afghans, why is the Federal Government footing the bill for such programs in legislation aimed at fighting crime? This is absolutely absurd.

But there is more. This bill also provides for "Model Intensive Grants" intended to bring "meaningful and lasting alternatives to involvement in crime" and relief to "conditions that encourage crime." So vaguely written, this program like most others in this bill, simply translates into petty cash for local communities—cash that was promised by Democrats in last year's "economic stimulus package" but never delivered.

Yet Bill Clinton and the Democrats are welcoming the crime bill with open arms, calling it the "toughest, largest, smartest federal attack on crime in the history of our country." It may be the largest, but it is soft and dumb. One of the toughest provisions, they claim, expands the list of crimes that are punishable by the death penalty. Yet while it does add dozens of new crimes to this list, Bill Clinton is going to make certain the death penalty is rarely, if ever, enforced. That is because he has quietly promised the most liberal members in the House that he will order federal prosecutors to consider racial inequities in cases involving capital crimes. With the introduction of racial quotas into the criminal justice system, we can expect this nation to see an end to death penalty as we know it.

Another celebrated component of the crime bill is the "three strikes and you're out" provision. While this may sound tough, it is not. In fact, this sentencing provision will only apply to 1 percent of the crimes that occur throughout the country, since the third crime occur on federal property for it to be eligible for this new punishment. If baseball adopted a similar rule, you would be out only if the third strike occurred in, say, Fenway Park.

And though the president had promised to put 100,000 new police officers on the streets of America, only 20,000 positions are being funded through this bill. It is up to local governments to fund the remaining positions—another unfunded mandate. Therefore, at most we can expect an average of one extra police officer per department throughout the nation. Anybody feeling safer yet?

Democrats are also pretending that this bill will provide more space to lock up violent criminals. That is baloney. Republicans fought tooth and nail to ensure adequate funding for new prisons coupled with incentives for states to enact tougher sentences. But the Democrats changed the crime bill so that it now allows states to divert prison grants to other programs. And while it calls for longer prison terms by making "truth-in-sentencing" a condition for federal funding, there are numerous loopholes for states to avoid that requirement.

I am also opposed to the bill's prohibition on a number of assault weapons. Banning a handful of guns is not going to have any real effect on crime and my colleagues know it. It is just one more provision that diverts attention from true impact-on-crime solutions.

Mr. Speaker, the list goes on and on. This crime bill is a total sham that only empowers criminals and further exploits innocent victims. Furthermore, it provides little more than a means for Democrats to deliver pork to the folks back home in perfect time for the election. My colleagues should be ashamed. There is not one American who can expect to feel safer if this bill passes and is signed into law. Not one.

The problem is that liberals are so busy coddling the ACLU they refuse to give the American people what they really want—a tough and effective crime bill that provides genuine truth-in-sentencing, strengthens the death penalty instead of killing it, reforms the exclusionary rule, puts more cops on the beat, toughens the juvenile justice system, and reforms habeas corpus.

The American people deserve better than this crime bill and it is incumbent upon Congress to deliver. This is nothing more than a package full of goodies for the folks back home—none of which provide real solutions to the problem of crime in America. I therefore implore my colleagues to vote no on the rule and final passage. No crime bill would be far better than this one.

Mr. Speaker, I also would like to insert this LEAA handout titled: "Law Enforcement Does Not Support This Crime Bill."

The gun ban and magazine capacity prohibition in this crime bill will drive a wedge between law enforcement and honest citizens; it will turn some 20 million + law-abiding gun owners into potential felons because law enforcement recognizes it is impossible to determine which components (magazines) were legally owned prior to the effective date of this prohibition.

National leaders of select police organizations (such as Fraternal Order of Police and the International Association of the Chiefs of Police) are attempting to generate support by making grave misrepresentations to their members and they also have conflicts of interest:

IACP has recently received over \$400,000 from the Clinton Administration (Law and Order Magazine, May 1994) prior to their an-

nounced support of this legislation; IACP also represents less than 1/3 of the chiefs in this country.

FOP is telling their members there is a "police exemption" for law enforcement, the truth is the so-called exemption does not cover officers' off-duty weapons, nor does it apply to retired officers; it will adversely affect every department in the country where officers purchase their own weapons.

If this legislation passes there will be a severe backlash from these officers who have been misled into supporting this legislation, targeted both at their organizational leaders and their elected representatives in Congress.

Every major survey of America's police conclusively proves that police officers do not believe that more gun control will have any impact on crime or criminals.

National Association of Chiefs of Police, '94 Annual Survey: 88.7% responded that a ban on so-called "assault weapons" would not help reduce crime.

Southern States Police Benevolent Association, June '93: 96.4% strongly support firearms ownership for self-defense, 95.8% reject an outright ban on guns, they rated stricter gun control as the LEAST effective option for reducing violent crime.

Police Magazine, April '93: 85% did not support an "assault weapon" ban.

Law Enforcement Technology Magazine, August '91: 85% of "street officers" opposed gun control and 90% did not support an "assault weapons" ban.

This bill contains well over \$8 billion worth of social welfare spending that has nothing to do with genuine law enforcement.

#### MOST CRIMINAL DEFENDANTS COME FROM BROKEN HOMES

The SPEAKER pro tempore (Mr. LEHMAN). Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, before coming to Congress, I spent 7½ years as a Criminal Court Judge.

I tried primarily the felony cases, the more serious cases.

In that time, I suppose I went through 7,000 or 8,000 cases, because 96 or 97 percent of the defendants pled guilty, and most had more than one case.

The first day I was a judge, Gary Tullock, the Chief Probation Counselor for east Tennessee, told me that 98 percent of the defendants in felony cases came from broken homes.

In almost all the cases I handled, I would get detailed reports about a defendant's background.

Over and over, I would read "Defendant's father left home when Defendant was two and never returned;" "Defendant's father left to get pack of cigarettes and never came back."

I became convinced that the greatest problem we have in this Nation today is the fact that so many homes are broken, and more specifically, that so many boys are growing up without fathers or with no male influence in their lives.

A few months ago, I read a column in the Washington Times in which two

leading criminologists had studied 11,000 felony cases.

They reported that the single biggest factor in crime, the single most consistent factor was father-absent households.

All of this is to explain why I was so very much impressed by a column in today's Washington Times by Mona Charen, the syndicated columnist and television commentator.

I wish every American could read this column. Its message is so very, very important to our survival as a nation.

Mona Charen wrote this:

#### REMAINS OF THE CULTURE

Two extremely active preschoolers keep me more or less permanently behind the times on the subject of movies. But I did recently see "The Remains of the Day" on tape.

The movie reminds one, once again, of the essential fragility of things that seem so enduring.

Look at the social hierarchy depicted, accurately I think, in that film. The code of duty, honor and responsibility that was so ingrained in generations of Britons—a code that was strong enough to keep the butler serving at table even while his father lay dying upstairs—all of that has been swept away in a heartbeat.

One of the differences between conservatives and liberals is that liberals tend to think you can tinker with social, economic and political arrangements endlessly, while conservatives believe that the veneer of civilization is actually quite thin—and too much tampering with the foundations will bring the whole thing down.

What puts our civilization at risk? What forces are at work that could make 1994 America look as antique 50 years from now as the butler's world looks to us in "The Remains of the Day"?

The forces that were unleashed by, roughly speaking, Woodstock—a lamentable anniversary—have been corroding the foundations of our civilization for 30 years. These years have witnessed a thorough-going attack on the American character. Instead of inculcating notions of honor, self-reliance, duty and responsibility, we have become a nation of self-pitying whiners, fast with a lawsuit and slow with child-support checks. We wallow in excuses for poor products and lousy test scores.

But the most worrisome aspect of the decline of character is reflected in families. To an unprecedented degree, American men are not performing their jobs as fathers.

David Blankenhorn directs the Institute for American Values in New York. Together with Don Eberly of the Commonwealth Foundation in Pennsylvania, he has launched the "Fatherhood Initiative."

There is, these men believe, nothing more important to the health of society than men undertaking the role of father. "There is very little you can do to sever the ties between women and their children," Mr. Blankenhorn notes. "Crack cocaine can do it, but that's about it. Otherwise, the emotional ties are firm."

But men are different. Men can detach themselves with their children, and our experience of the past 30 years has shown just how easily they can let go (and just how fragile are the foundations of civilization). Without the strong societal message that to be a good man means shouldering the responsibilities for your wife and children, many men are content to abandon their families.



And when they do, the results for children are catastrophic. Sixty percent of rapists, 72 percent of adolescent murderers and 70 percent of long-term prison inmates grew up in fatherless homes. Forty percent of American children now live in families without their biological fathers. Half of these have never been in their father's home.

But it isn't just at the pathological extremes that father absence works its mischief. Every child needs a father. A boy needs a father to show him what it means to be a man. He learns how to treat women by watching the way his father treats his mother. Girls derive ambition, self-confidence and a general attitude toward men from their relationship with Dad.

This is not to slight mothers. Mothers are crucial, too. But mothers are not abandoning their children. As Mr. Blankenhorn notes, it is not necessary for society to urge mothers to undertake their responsibilities.

But the data are quite clear that mothers alone have a tough time socializing their children, particularly their sons. And they have a tough time making ends meet. Seventy-five percent of children in single-parent families experience poverty before the age of 11.

For 30 years, our culture has been at war with fatherhood. It was claimed that fathers were stifling, emotionally remote, overly strict and, ultimately, superfluous. Feminists who see today's challenge as getting fathers to pay child support are missing the point. The great challenge is to return men to the business of being fathers.

Mono Charen is exactly 100 percent right in everything she says in this column.

Unless and until we heed her words, we can pass crime bills until we are blue in the face, and it will do absolutely no good whatsoever.

#### COMMUNICATION FROM THE HONORABLE JOHN L. MICA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN L. MICA, Member of Congress:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, August 9, 1994.

Hon. THOMAS S. FOLEY,  
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the rules of the House that my office has been served with a subpoena issued by the State of Florida, Division of Administrative Hearings, in connection with a civil case involving constituent casework.

After consultation with the General Counsel, I will determine if compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

JOHN L. MICA,  
Member of Congress.

#### THE HEALTH CARE PLAN: WE CAN DO MUCH BETTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. HOEKSTRA] is recognized for 5 minutes.

Mr. HOEKSTRA. Mr. Speaker, I rise tonight to talk about the debate that we are about to enter, the health care debate, and I want to lay out the proposition that we can do much better than the plan that is out in front of us today.

Last night, nine health care bills were turned in to the Committee on Rules, nine new health care bills. I have to give the chairman of the Committee on Rules credit. He took those nine bills and inserted them into the House RECORD so that this afternoon we were able to receive copies of those nine new bills and begin the process of understanding what is in each of those bills.

Take a look at the process that is currently laid out in front of us. On August 10 we get nine bills. On August 11 we received the actual verbiage that is found in those nine bills.

I testified in front of the Committee on Rules this afternoon proposing an open rule, but knowing that that is probably very unlikely, and also knowing that today I had to propose two amendments, an amendment on wellness and an amendment on States' rights, providing States with the options to choose whether they wanted to participate in a national health care program without really knowing what is in the bills.

I am part of the Committee on Education and Labor. We went through the Clinton bill, the original Clinton bill. We had 29 days of hearings. We had 8 full weeks of markup where we actually went through the amendment process, and we went through the bill section by section. We had 4 weeks in subcommittee; we had 4 weeks in full committee. In full committee we had proposed 99 amendments: 44 Democratic amendments were accepted, and 11 Republican amendments were accepted, 55 improvements to the Clinton bill, and that is all gone now, because we have a new Clinton-Gephardt bill.

So what is the process going to be when we come to the full House? What took place for 8 full weeks in committee and subcommittee, at least the schedule that is right in front of us now says we are going to complete that same process for nine bills in 8 days.

□ 1800

This House may be good, but I do not think we are that good.

I got a summary today, about a 30-page summary, of the Clinton-Gephardt bill. What do we know is in it? We know there are employer mandates in it, we know there are new taxes in the bill, we know there are subsidies for small business, we know those subsidies will phase out by the year 2005.

Generally, we know that there are exemptions to the bill. In our Committee on Education and Labor we created perhaps one of the most unique exemptions, by name we exempted the State

of Hawaii. When I glanced at the summary of the Clinton-Gephardt bill, I saw there was an exemption for States with single-payer systems. Does that mean this House language that we put in place, again, the basis for the State of Hawaii to exempt itself from the national health care plan?

There were waivers for parts of the State of Tennessee. There was a waiver for Milwaukee. Why are these in there? Do we again have to propose to the full House the amendment defeated in the subcommittee and in full committee that said no State shall become a participating State in a national health care plan unless the voters of that State decide through a referendum process to become part of the national health care plan?

We know that there are penalties in this bill, penalties because we have created more paperwork. We have gone to health care providers and said that on an annual or quarterly basis, "You will be mandated to provide these types of reports, and if you do not, you will be facing these types of penalties."

We know that there is tort reform, or so-called tort reform. The tort reform in this bill appears to say that the innovation in the tort reform that has gone on at the State level will be preempted by what we are going to do here on the Federal level. This is a significant victory for the trial lawyers.

I found these parts and these topics in the Clinton-Gephardt bill, from a 32-page summary of the bill. It appears that when I finally have the full bill, it will be close to somewhere between 1,000 and 1,500 pages.

What else is in the bill, and exactly how do we come up with mandates? How many new taxes do we have? Who do they affect? What kind of subsidies do we have? For how long? Who is exempted? How do other parts of the country become exempted? Who is facing penalties? Who is facing criminal charges?

Who really benefits from tort reform? Just in the Clinton-Gephardt bill there are way too many questions to be answered in the next days. And remember that we have 8 other bills that we should fully consider.

Now is not the time to move from outside of the committee process. Now is the time to really utilize the committees and use the House to fully understand, debate, and move forward on health care, but not in 8 days.

As freshman Republicans, we laid out a schedule. We said when the bills are submitted, let us have each sponsor of the bill walk us through the bill here on the floor of the House for a full day, allow that Member or that group of Members to take us through the bill step by step, section by section; allow us to go home to our constituents for 2 to 3 weeks to talk to our elderly, to talk to those without insurance, to talk to our small business people, to

talk to our doctors and hospitals, to see how these bills will impact them.

Then to come back, have 8 to 10 days of debate, to vote, to have a conference with the Senate, and still have a final vote before we adjourn in October. This is a better process, a process that this Congress can be proud of, that the American people can trust.

It is time to reform how we do business in Washington. The process that we set up for the health care debate over the next 2 months will say a lot about this Congress. Are we going to compress it into 8 days? Or are we going to let the House work its will through a process of 8 weeks?

I hope we go for the process 8 weeks, it is a process that we can be proud of, it is a process that the country can be proud of.

#### WHAT THE REPUBLICANS DID VOTE FOR OVER THE PAST FIVE DECADES

The SPEAKER pro tempore (Mr. LEHMAN). Under a previous order of the House, the gentleman from Michigan [Mr. EHLERS] is recognized for 5 minutes.

Mr. EHLERS. Mr. Speaker, yesterday I addressed the topic of health care reform and much along the lines Mr. HOEKSTRA has just elucidated, but I also pointed out a very important aspect of it. In the limited time available yesterday I could not do justice to the subject. Several Members have asked me to give more detail on the issue.

The point I was making is that the process that has been set up to handle health care reform is a process that basically eliminates the opportunity for Republicans, and particularly the freshman Republicans, to have an input into the process.

The freshman Republicans came here with an idea of reforming the way Congress operates. They are very interested in contributing to the process and representing their constituents in the process.

But what particularly dismayed me was to find out a few days ago that the Vice President of the United States made the comment that the Republicans did not vote for social security, they did not vote for Medicare and they are not going to vote for health care so, "We should ignore them in the process."

Furthermore I have heard that comment in the well of the House by a number of speakers over the past few days, making much the same point and trying to justify the fact that Republicans have been shut out of the process.

Now, I am not a terribly partisan person, never have been, and I do not suspect I ever will be.

I am actively interested in participating in the health care debate as a bipartisan coalition working on health

care reform. I happen to think there is a great deal we can do in this country to insure that everyone has access to health care and that they get quality health care.

But in particular I want to respond to the comments that I have heard made in the well of the House by some of my colleagues from across the aisle in which they have said the Republicans did not participate in passing social security.

If you look at the first line of the chart, you see that is simply not correct. In fact, in 1935, when the Social Security Act was passed, 83 percent of the sitting Republicans in the House of Representatives voted for the bill.

When you go down some of the other major acts passed over the past half century, the Federal Highway Act, more Republicans than Democrats voted for it; Civil Rights Act, 81 percent of the Republicans voted for that landmark legislation, almost 20 percent more than voted for it from the party on the other side of the aisle.

Medicare, where we appear not to have voted, 47 percent of the Republicans vote for it. So on down to the Clean Air Act Amendments and Water Pollution Control Act.

So you can see, if we follow the course we are on now when we consider the health care bills next week, as Mr. HOEKSTRA just said, we spend just 8 days on it, it is going to be a Democratic bill, passed with Democrat votes, and the last line will become accurate. You might get a few Republican votes, but by and large you can expect 83 percent of the Democrats to vote for it and 2 percent of the Republicans if it passes.

I think that would be a very bad precedent. I think history shows Republicans are eager to participate in these debates, to provide input and to be contributors to the process and to the content.

I hope that we can follow that same process here. But as Mr. HOEKSTRA said, let us make it 8 weeks, not 8 days.

Let us have an opportunity for an open debate on the floor of this Chamber. Let us have an opportunity for a rule that will allow us to offer amendments to improve it, because we are sincerely and earnestly interested in improving it.

I yield to the gentleman from Texas.

Mr. ARMEY. I want to thank the gentleman for bringing this special order and this special information to our attention.

It is extremely important to me that we focus on this. What we were running into today in our political discourses is that the word bipartisan is being used more as an indictment rather than as a strategy. And here your historical evidence demonstrates some of the facts that are being told are simply not true.

I was particularly impressed with the fact that if you go to the Civil Rights

Act—and many times I have been told how we Republicans did not vote for the Civil Rights Act—81 percent of the Republican Members of House voted for the bill, 63 percent of the Democrats voted for the bill. I believe there was a Democrat majority, clearly a much greater number of Democrats voted against the civil rights bill, they voted with Bull Conner, who stood on the bridge in Alabama and beat people with a club and then represented the State of Alabama as a national committeeman to the national Democrat convention.

□ 1810

Now I understand that the health care bill is up, but if there is a bipartisan bill that wins, I promise you there will be a greater percentage of Republican votes than there will be Democrat votes for a bipartisan bill.

Mr. Speaker, if I may, I just wish to conclude by thanking the gentleman from Texas [Mr. ARMEY] for his comments, and also I want to thank the gentleman from Minnesota [Mr. PENNY] who compiled many of these statistics originally, and I wanted to give him credit for that. I think the figures speak for themselves, and they demonstrate that the minority party is anxious and willing to participate in the major issues of the day, and we hope we will have an opportunity to do that in the health care debate.

#### KEEP AMERICA'S PATENT SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mrs. BENTLEY] is recognized for 5 minutes.

Mrs. BENTLEY. Mr. Speaker, the American patent system is being targeted by Japan and some multinational companies by including changes in the patent system in the Uruguay Round of GATT now under consideration in Congress. Our competitors understand how critical the patent system is to America's economic strength.

In the early 1900's the government of Japan wanted to determine what made the United States such an industrial power. A team of investigators was dispatched to determine why America was so successful and the team concluded it was because of the patent system.

The official report stated:

We looked about us to see what nations are the greatest, so that we can be like them. . . . We said, what is it that makes the United States such a great Nation? We investigated and found that it was patents, and we will have patents.

In the early 1980's Japan again determined the patent system was critical to America's industrial strength.

The new GATT establishes the patent term for a minimum of 20 years from the time of filing. The United States agreed to this. Now, the changes being advocated in the legislation would



change the patent term to a maximum of 20 years from the time of filing. Limiting a patent term from the time of filing would harm the inventors and small businesses because many patents would not make it through the system before the term expired.

Many patents are not issued for several years. It was 29 years before Gordon Gould received his patent for the laser.

A friend from Michigan called this morning to remind me that it took 6 years for his patent to come through. There are many more stories about the length of time it takes to receive approval of a patent application. These changes will put the inventor at the mercy of the patent office. It is the patent office that delays patents and requires more information. If the United States copies the Japanese patent term which is 20 years from the filing date—then delaying the issuance of a patent for 18 or 22 years would rob the inventor of the patent protection for his invention.

These changes which are being included in the GATT were originally agreed to by Bruce Lehman, Assistant Secretary and Commissioner of the Patent and Trade Mark Office in an agreement he signed with Japan in January. These changes to the patent term were agreed to without a public hearing and totally ignoring the wishes of the small inventor who is so important to our system.

Under that system only the wealthy and powerful profited. To avoid this in America, authors and inventors are protected in the Constitution. Now, we once again are attempting to change the system to reward the rich and powerful, the big corporations. Inventors and small business cannot afford the money it takes for an invention with a short patent life. We cannot afford to accept these changes.

Remember, foreign governments also have pushed to have the American patent system weakened because patents are one measure of a country's economic strength and future prosperity. High quality patents which often are cited in patent filings, signal the emergence of important new technologies which will be under a patent holder's exclusive control for many years.

In 1993 the United States led the world in influential patents with 59,588 which is almost twice as many as Japan, Italy, the United Kingdom, France and Germany. No wonder these foreign countries want to cripple the American patent system. We are winning the technology race for prosperity—so why are we throwing the race? These changes must not stand.

#### JULY FOURTH PARADE BY BERLIN BRIGADE

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Florida [Mr. HUTTO] is recognized for 5 minutes.

Mr. HUTTO. Mr. Speaker, today I want to address the House briefly to pay tribute to a group of service people from our armed services who have served us valiantly overseas since the end of World War II. Specifically, I want to focus on the Berlin Brigade.

It was my good fortune to be in Berlin this past Independence Day and participate in the final July Fourth Parade for this fine unit of the U.S. Army. I was privileged to attend a pre-parade reception at the historic McNair Barracks and to meet some of the troops, as well as dignitaries from a number of nations.

Among those present were the Director of the Central Intelligence Agency James Woolsey; Vice Chairman of the Joint Chiefs of Staff Adm. William A. Owens; U.S. Ambassador to Germany Richard C. Holbrooke; the distinguished Mayor of Berlin Eberhard Diepgen; the Commander-in-Chief of the U.S. Army—Europe, Gen. David M. Maddox; and the Commanding Officer of the Berlin Brigade, Maj. Gen. Walter H. Yates.

This was a special time and an emotional one for many, including some 20-plus former commanding officers of the Berlin Brigade. The Fourth of July ceremony in Berlin would have made any American proud. As the troops marched by the several thousand people in attendance, each of the units was treated to great applause.

The speeches were outstanding and moving as the Berlin Brigade, which involved thousands of American officers and soldiers for the last 49 years, bade farewell to the once divided city.

The addresses were delivered by the final CO of the Berlin Brigade, Maj. Gen. Walter H. Yates; U.S. Ambassador to Germany Richard C. Holbrooke; the Commander of the U.S. Army—Europe, Gen. David M. Maddox; and Berlin Mayor Eberhard Diepgen.

Mr. Speaker, I insert for the RECORD the speeches of General Maddox and Ambassador Holbrooke.

REMARKS OF GEN. DAVID M. MADDOX AT THE BERLIN INDEPENDENCE DAY PARADE, JULY 4, 1994

Ambassador Holbrooke, Regierender Bürgermeister Diepgen, Herr Minister Rühle, Congressman Hutto, Mr. Woolsey, Herr Dr. Bergner, Herr Dr. Knoblich, Admiral Owens, General Naumann, former CINC's, distinguished guests, and citizens of Berlin and soldiers of the U.S. Army Berlin, today is an important and significant day for Americans. I am delighted—and humbled—to commemorate this day with you, an Independence Day that is shared by Berliners and its Brigade in a special way.

As Americans celebrate our Independence today, I decided to join the Berlin Brigade because of the added significance of today's ceremony in this city with you. I'd like to thank the people of Berlin for joining the Brigade—your Brigade—today.

Let me talk about the significance of today:

One. Obviously, the 218th anniversary of American independence.

Two. The 49th anniversary of our entrance into this city.

Third and lastly, this is the final opportunity we have for the U.S. Army, your Berlin Brigade, to share the celebration of our independence, in Berlin, with the citizens of Berlin.

In Berlin, today is also a day of reflection on the last 49 years, of sadness at the end of a great relationship between the city and the Brigade, but more importantly, a day of fulfillment, of triumph and hope—as we look to a new future together.

To the citizens of Berlin and friends of the American Army: You are the reason we are here today.

For nearly half a century, you have been the light of democracy behind the darkness of the Iron Curtain;

You have kept the faith through the adversity of blockade, of isolation, of confronting face-to-face oppression—and you have held firm; triumphed; and won the greatest of all prizes;

And in the process, you have been great hosts, great friends, and great supporters of our soldiers, civilians, and their families.

From teaching your language, culture, and customs to opening your homes and taking care of our families as if they were your families while your brigade was deployed—on behalf of the U.S. Army in Europe, I would like to thank you, the people of Berlin, for your support, the closeness of the relationship that you have built with us for those 49 years.

To the soldiers of the Berlin Brigade, you have made all of us proud—Americans and Germans—because you have succeeded magnificently in every mission you were given—from your entrance into Berlin as occupiers, to defenders, to providers, to protectors, to great friends.

You have stood firm against adversaries here in Berlin—and have deterred conflict. You have gained the peace, kept the peace. You have been providers of comfort and able sentries—on three continents.

You have led the way, from standing down threats at Checkpoint Charlie to ensuring the security of Kurdish refugees in northern Iraq. And most recently, preventing the spread of the Balkans conflict into the former Yugoslavian Republic of Macedonia.

Soon, we will say, "Mission complete; well done; and take your soldiers home." And I want you to know that all of us appreciate your superb work.

Yet to a great degree, you won't be going home; you'll be leaving home.

Citizens of Berlin, on behalf of the United States Army in Europe, I thank you for all that you have done for our soldiers, for those you see here today and for their forebears for nearly half a century. Words cannot express all that you have given us or the depth of our gratitude, but I can tell you, as Walt Yates has told you, that you have won their hearts—our hearts—forever. They are not just the Berlin Brigade, they are Berlin Brigade—and you have allowed them the honor to carry your name, a name they will treasure as they, too, will always say, "I am a Berliner."

Berlin Brigade, and Berliners, thank you for your tremendous efforts that allow us to celebrate freedom—together. Enjoy a great day. This should not be a day of sadness with the forthcoming departure of your Brigade, but instead a day of joy and hope, recognizing the continued growth and maturity of the relationship between Berlin and America.

God bless you.

TEXT OF AMBASSADOR HOLBROOKE'S REMARKS  
JULY 4, 1994, AT THE FINAL U.S. NATIONAL  
DAY PARADE IN BERLIN

Exactly 49 years and 3 days ago, Lt. Col. Frank Howley and a small unit of American soldiers entered Berlin and camped out in pup tents in the Grunewald. They found a city destroyed by war, blasted, blistered, and battered. Berliners were homeless, cigarettes had become the most stable form of currency.

Forty-nine years ago today—July 4, 1945—Sherman tanks of the Second Armored Division, the famous "Hell on Wheels" Division, lined up in front of the old Telefunken electronics factory—now McNair Barracks—opposite two companies of the Soviet army. In the presence of General of the Army Omar Bradley the Stars and Stripes was raised and the Russian flag lowered to begin the American occupation of Berlin.

What was to follow in the next 49 years could not have been imagined by any Hollywood screenwriter. The U.S. Army, turning from occupying force into defenders of freedom, recommissioned in 1961 by President Kennedy as the Berlin Brigade, would turn into the most powerful and simplest symbol of our nation's commitment to defend freedom, not only in Berlin, but wherever it was threatened.

Men and women of the Berlin Brigade: for nearly a half century your presence here told the world that America's engagement in Europe is essential to security and prosperity on both sides of the Atlantic. Your determination during the first difficult post-war years created the basis for the German-American partnership, shaped its tone, and defined America's commitment to Europe. In 1948, in the late 1950s, their Brigade gave us our focus. Time and again you have impressed us with your tenacity, with your dedication to freedom and openness.

Because of your common efforts, we can stand together today in a free and united Berlin. With great pride and great humility, on behalf of President Clinton and the American people, I thank the people of Berlin for their determination and freedom; I thank our British and French allies for their solidarity; I thank especially the men and women of the Berlin Brigade; and I reaffirm the solidarity of Americans with people everywhere who cherish the blessings of liberty, people everywhere who consider themselves Berliners.

But we still live in a violent and uncertain world. Drawing down our force levels in Europe does not mean we are disengaging from the continent. The U.S. military is leaving Berlin because it has completed its mission. But Americans are not leaving Germany. We have been asked to stay and 65,000 American soldiers will remain in Germany, the bulk of 100,000 troops we will continue to station in Europe as a whole. We remain committed to the German-American security partnership within the NATO Alliance.

And so, even though the Berlin Brigade is departing Berlin, we Americans are not saying goodbye to your great city. In fact, over 10,000 civilian Americans now make Berlin their home, and thousands of other Americans from all walks of life are coming to this great city, thousands of Americans were attracted by its vitality, its energy and its opportunity.

The fall of the Berlin Wall did more than liberate the people of eastern Germany, eastern Europe, and many former Soviet republics. It also liberated the German-American

relationship from the need to focus narrowly on a common external threat.

The Cold War is over, we have entered a new era. I believe it will be the greatest that Berlin, the greatest that Germany, the greatest that Europe and America have yet known. You are striving to fulfill the dream of the United States of Europe, a Europe united in democracy, a Europe that can serve as our partner in a global challenge to extend peace and prosperity. We share your aspirations for the future, just as we shared your struggles in the past.

Almost a half century ago Berlin became the birthplace of the modern German-American partnership. The attitude of the Berliners in the first difficult post-cold war years was decisive for the transformation of Germans and Americans from enemies into allies. Today, the signals that come from this great city can again set the tone for our partnership.

"People of the World," Berlin's courageous mayor Ernst Reuter implored at the height of the Berlin Blockade, "look unto this city." We did, and we stood by your side. We will continue to stand together in the future. Just as we worked to tear down a wall of concrete and barbed wire we can tear down the walls in people's minds—and we must.

I cannot conclude without thinking of one of our great Supreme Court justices, Thurgood Marshall, who throughout his life worked for peace by fighting for justice. "We can run from each other," he said, "but we cannot escape each other. Knock down the fences that divide. Tear down the walls that imprison. Reach out: freedom lies just on the other side."

Next Tuesday, President Clinton will make a historic visit to this city. He will speak as the first American President to address a united, free and democratic Berlin. He will speak from the eastern side of the Brandenburg Gate. It will be a historic day and it will be concluded by the inactivation ceremonies for this great military unit that has been so important in the history of the cold war.

To the people of Berlin, let me say this: do not mourn the departure of the Brigade. Rather, celebrate their achievement. Join with celebrating their historic contribution to freedom, a mission now accomplished. And remember: the U.S.-German partnership is just beginning, especially here in this great city.

#### WHAT THE AMERICAN PEOPLE WANT IN HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. CARDIN] is recognized for 5 minutes.

Mr. CARDIN. Mr. Speaker, I take this time to review one of the bills that was filed last night with the Committee on Rules as an alternative or substitute to the Majority Leader GEPHARDT's bill on health care reform. I know my colleague, the gentlewoman from Connecticut [Ms. DELAULO] will be taking more time later this evening in a special order for 1 hour to review the various proposals, but I thought it was important that we at least bring out the fact that many of us have been looking to what substitutes will be filed so we can compare those bills to the bill that was filed by the majority

leader, the gentleman from Missouri [Mr. GEPHARDT], to see whether any of these substitutes live up to any of the standards that I think the majority of this House and the majority of the American people want in health care reform.

□ 1820

First and foremost, we certainly appreciate our colleagues being willing to get involved in this debate. One of the substitutes that were filed is the so-called bipartisan bill that was filed by my colleague, Mr. ROWLAND, that I would like to talk a little bit about, because I think many of us were encouraged by bipartisan efforts.

We want bipartisan efforts. We want Democrats and Republicans to work together on health care reform. But we also want to make sure at the end of the day that we have real health care reform, that the bill carries out our commitment to the American people to provide universal coverage and affordable health care.

The so-called bipartisan bill, unfortunately, fails any reasonable test. If you look at what we need to do in health care reform, it fails in each and every one of the essential ingredients that we think is important in health care reform.

Let me go through some of the standards that I hope my colleagues will look at in reviewing these alternative bills. First, universal coverage. Does the bill provide universal coverage? The Gephardt bill does, no mistake about it. We get universal coverage, 100 percent coverage.

Some of my colleagues have been urging that 100 percent is not realistic. Let us go to 95 percent. Many of the people on the bipartisan effort said we will accept the 95 percent as the standard. Yet the bill brought out by Mr. ROWLAND by his own admission would accomplish maybe 90 percent by the year 2002. That is assuming we get full funding for the subsidies in the bill.

Let me tell you, the prior bills that were filed by many of the people behind the bipartisan bill at least had the courage to have revenues in them. This bill does not. The Rowland bill does not. So we are led to believe that without revenues, the subsidies are going to be financed. Yet there is a provision in the bill that automatically reduces the subsidies if monies are not available.

So I think it is reasonable to expect we are not going to have enough money to subsidize at 200 percent of the poverty level that Mr. ROWLAND put in his bill, so we will not even accomplish the goal he set out, the 90 percent, let alone 95 or 100 percent of the people covered by insurance. There is still going to be over 30 million people without health insurance. Quite frankly, I think we might find in 10 years we have made no progress in getting the uninsured covered.



Why is that important? It continues cost shifting. It makes it impossible for us to really control any reasonable health care system for a more orderly way of organizing the system. It makes it difficult for doctors and health care providers to locate in poor neighborhoods and rural areas where a lot of people do not have insurance.

We continue the cost shift for those who have insurance to those who do not. The people that really get stuck under the Rowland bill will be the middle-income people. The poor will have subsidies, the wealthy can afford insurance, and the working person, middle-income person, is the person who has no benefits.

Let me just give you a couple of concrete examples. A working couple, husband and wife, they would have to pay \$4,600 to get health insurance under the Rowland bill, or 22 percent of their income. Under the Gephardt bill, that same couple would only have to pay \$351 a year.

Let's talk about a family, a husband, wife, and children. Under the Rowland bill that family may have to lay out of pocket \$6,175 a year. I do not think that is reasonable to expect, that a working family can afford that. Yet under the Gephardt bill, they would be asked to pay a little over \$1,000.

How about those people who have insurance today, the working people who do have insurance? Under the Rowland bill they have a very good chance to see their premiums go up by a substantial amount, because you cannot do insurance reform unless you have universal coverage. The Rowland bill does not have universal coverage. It attempts to do insurance reform, and that is a formula for increasing the burden for working people who currently have insurance today.

Another major goal of health care reform is cost containment. We all know that we cannot sustain the ever-increasing cost of health care. We must bring down the overall growth rate.

The Rowland bill does absolutely nothing. I hope my colleagues will take the time to evaluate these bills, and I think if they do, they will find only the Gephardt bill accomplishes real health care reform.

#### BOB WEHR: AN OUTSTANDING AMERICAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. HANCOCK] is recognized for 5 minutes.

Mr. HANCOCK. Mr. Speaker, to listen to some of my liberal colleagues here in Congress, and to the biased liberal news media, you would think that businessmen are the root of all evil. We are always hearing about heartless businessmen who are oppressing the working man, polluting the environment, and so on.

Our popular culture—through movies, television shows, and political rhetoric—has developed a negative image of businessmen. Well, I am proud to be a small businessman in the real world. I am proud of the jobs our company has created. And I am proud of the hard work I did, prior to being elected to Congress, building up a going enterprise, providing a valuable service to our customers and society.

It is time we started to look at what is right with American business, instead of unfairly vilifying the people who take all the risks to provide the jobs and prosperity for our Nation. Oh, there are some bad apples, to be sure. But you get that with every sector of society. Even the U.S. Congress is known to have a bad apple or two. I think it is time we started paying honor and tribute to the good apples—the men and women who have lived the American dream, founded companies, and prospered by it.

Today I would like to pay special tribute to a constituent of mine: Mr. Bob Wehr. Bob Wehr, now 69 years old, founded his company, Aarons Automotive Products, in 1959. He had the vision and the initiative to take a risk and fill a unique niche in the marketplace, rebuilding automatic transmissions. He took the risks, started a business, and over the course of 35 years grew it to its present size—employing around 800 people. And, of course, he made some money. He was so successful that recently he retired and sold the business for a large sum of money to investors who want to expand his business and create even more jobs. And the company is in very good hands. His son, Jim Wehr, who has worked in the family business since he was a teenager, will succeed Bob as president.

But Bob Wehr also did another very generous thing. When he announced to his employees, all assembled on the shop floor of his plant, his plans to retire and sell the company, he also told them he was taking \$2.5 million of the profits from the sale of his company and paying them all bonuses—in gratitude for their loyal service.

That is what America is all about. Working hard, taking risks, and reaping the rewards—while living by a code of rock-solid integrity and kindhearted generosity. Bob Wehr is definitely one of the good guys. And Bob Wehr is a lot more like the other business people and entrepreneurs I know than the evil characters dreamt up by left-wing politicians and our liberal friends in Hollywood.

Bob Wehr did not need union demands to treat his workers fairly or honestly—indeed, his workers, like most working men and women in America, never had a need or desire to unionize. In fact, when the option to unionize was proposed, the employees voted it down 2-to-1.

Bob Wehr did not need some government bureaucrat or know-it-all Member of Congress to tell him how to run his company cleanly, safely, and honestly—and, yes, he has provided his employees health care benefits. Like most American businessmen, he just did it.

When you see someone like Bob Wehr and you think about the Democrat rhetoric bashing the wealthy, calling for punishing taxes on the rich, you just want to shake sense into them.

There is nothing wrong with being successful. In fact, it is something this country used to encourage. Successful people should be praised and emulated. They deserve our respect for what they have accomplished. They are examples for us and our children. After all, don't we all at least aspire to be successful? Wouldn't we all like to be rich? Isn't that what we want for our kids and grandkids—financial security and success?

If we expect to prosper as a nation, we need to encourage people to do what Bob Wehr did, not tax and regulate them out of existence.

We need to encourage, foster, and nurture entrepreneurship. We need to look to the business sector again as the positive, productive sector of our society. We need to give credit where credit is due to Bob Wehr and outstanding Great Americans just like him.

#### HEALTH CARE ALTERNATIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

Mr. WISE. Mr. Speaker, today several alternatives to the House leadership proposal have been introduced. One is called the Republican alternative offered by the gentleman from Illinois [Mr. MICHEL]. There is one called the bipartisan compromise by the gentleman from Georgia [Mr. ROWLAND] and a number of Members of the Republican party. Of course, the House leadership proposal, and it is my understanding other substitutes have been offered.

I want to commend all those who have introduced legislative language. I think in my discussion and analysis of the partisan substitute, I do not happen to agree with provisions in there, or actually perhaps better said, I do not agree with the fact it does not go far enough.

□ 1830

But I do think it is worthwhile that those people have come together and crafted a proposal. There are some useful parts to it, but I think it is important to look at it in its entirety.

Now, the reality of the situation is that health care requires a comprehensive approach. It is not like the crime rule that was just defeated in which there are a number of very important

proposals in one bill but any one of the proposals can stand on its own. Police officers on the street can stand on its own. The ban on so-called assault weapons can stand on its own. The funding for prisons can be voted on separately or together. It does not matter. It can stand on its own.

Not so in health care. Health care is like a giant sausage balloon filled up with water. Do you know what happens if you squeeze down over here, if you take some action here, pop something, something pops up over here. You have to deal with it comprehensively.

The problem with these proposals is that while some of them have laudable insurance reforms, they would permit you to carry your insurance from job to job; they would say that an insurance company cannot deny coverage because of a preexisting condition; in some cases they would enable small businesses to set up pools that they could all be in and thus have greater market advantage, those are all laudable. The problem is to do those without having universal coverage, without having every person in our society with guaranteed private insurance that cannot be taken away and thus to have everybody contributing is to create that sausage balloon where you do something over here and make it worse over there.

I would encourage the drafters of the bipartisan substitute, for instance, to look at the State of New York. It attempted many of these laudable reforms just 2 years ago. Insurance reforms, in which it specifically said that a person could not be denied coverage for a preexisting illness. The problem was that they did not make it universal. So what happened is that those people who had preexisting conditions, those who were ill, they rushed, understandably and justifiably, to get into the system.

Then what happened though is the pool of people involved was such that the rates went up sharply. Furthermore, young people, the most well of our society, they opted out. They said, if I can get in when I am sick, who do I want to pay for insurance now when I am well? So they chose not to buy.

The cycle continued in that then many of the younger people who were working and often making the lowest wages, who had insurance saw their premiums increasing sharply so they out also, further worsening the cycle.

So that is what happens if you attempt band-aid health care reform. So that is why I think it is important that in analyzing these reforms, these bills, that you have to look at it to see, does it meet the benchmark of universal coverage, not just for a moral reason, I happen to think it is morally right that every American have health insurance, but also for the economic reason, the system does not work unless you have it.

Finally, Mr. Speaker, to those who would say, let us delay, and point to the fact that these bills were introduced today, these bills were not introduced today. These bills and their concepts have been with us for years. Indeed, for the last year and a half there has been nothing but discussion about these various pieces of legislation. President Bush introduced some of these provisions several years ago himself.

So the concepts have been there. What we are finally getting down to in this chamber, and I think the American people should be delighted in this, we are finally getting down to real bills and real legislation instead of simply rhetoric. The concepts are there. The problems are there. The issues are there. Now it is time to resolve them.

I welcome the introduction of these various pieces of legislation because now I think the American people truly can analyze, truly can evaluate and truly can choose.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LEHMAN). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from New Jersey [Mr. SAXTON] is recognized for 60 minutes as the designee of the minority leader.

#### ANOTHER PERSPECTIVE ON THE ECONOMY

Mr. SAXTON. Mr. Speaker, I take this special order tonight because of several things that have happened in the recent past. Late last week, in my home town, Mount Holly, NJ, I got a call from a friend. He is a small real estate person, very small business. He has been in business for a number years, and he called me to tell me that he was closing his business.

He said, "I am closing my business because interest rates have begun to climb again. I remember what it was like last time during the late 1970s and early 1980s when they climbed and I am not going through that again." He said, "I just want you to know before you read it in the newspapers, hear it from somebody else, that I am going to close my real estate business."

Then I came here and earlier in the week a group of my friends from the other side of the aisle had a press conference out in the triangle, with the Capitol in the background, and the press conference was to tell the American people that the economy is wonderful, that everything is on the upswing, that there is good growth, and I think they said interest rates were down. And I said, somebody needs to add some perspective, because what my friend in the real estate business said to me earlier, late last week, was not

the same as my friends from the Democrat side of the aisle said earlier this week.

So I take this special order, and with the cooperation of Mr. HUNTER, the Republican research chairman, Mr. RAMSTAD, from the Joint Economic Committee, Mr. ARMEY, from the Joint Economic Committee, and others, to add a perspective to this economic debate.

I guess one could ask the question, is the economy growing and is it growing as much as my friends on the other side of the aisle would like to think it is? I guess we could say, what kinds of jobs are being created and what rate of growth is there in the economy? Americans would certainly be interested to know in an historical perspective whether the economy really is growing and what kinds of jobs we are producing and what that rate is.

We might want to ask some questions about Bill Clinton's economic plan, "Clintonomics," as it has come to be called in recent times. What does it mean to have high taxes and interest rates growing are really legitimate questions that the American people should have some answers to.

And, in an historical perspective, is what we are in now anything like what we had during the late 1970s during the Carter administration? That is a legitimate question to ask.

To begin to answer the first question, these charts are helpful, because it shows in the red bars what the average growth during an economic cycle is when we are on the upswing, or better known in economic terminology, as a recovery. And so we took the average of all the economic recoveries since World War II and the rate of growth is in those, the average rate of growth is indicated by the red bars.

This recovery is different. While we are in a recovery and while there is some growth, the blue bars indicate what that growth is.

This chart happens to be job creation after a recession, the average, and job growth creation in this recovery, which is obviously much less. And so from an historical perspective, we can see that the jobs today that are being created are certainly not the same as they have been in recent history.

The next chart shows something similar. It shows gross domestic product growth after a recession. Once again, the blue lines represent what the average has been since World War II and the red lines represent the growth in this recovery.

Obviously, once again, these charts tell a pretty vivid picture. So I agree with my friends on the other side of the aisle, we are in a recovery. We are getting some growth, but it is certainly not what we have come to expect as acceptable levels of growth. During the 1980s, we grew at 4 percent or better, and in this recession, we are



at 2.5 to 3 to 3.1 percent growth, obviously cause for some concern.

What kind of jobs are being created? We are creating temporary jobs. We are creating service jobs, lower paid jobs. And so there is some clause for concern. We should not be surprised by this because all of us were here in 1990 when a big tax increase took place.

□ 1840

I stood at this podium with a lot of the people who were here with me today. This was in 1990. We said "To increase taxes by this amount in this kind of an economy will not help the economy, it will depress the economy."

In 1993 we came back here and said about Bill Clinton's tax increase, "Gee, we really should not do this, because if we increase taxes again for the second time, the biggest tax increase in our country's history, it will be bad for the economy." We as Republicans were not alone.

The chairman of the Banking Committee in the other House said this, and I quote, and this was back in 1993, July 1: "I have become concerned about the effect of the President's program," talking about President Clinton's program, "on jobs and economic growth. I am very concerned about the possibility of falling back into recession as a result of the very restrictive fiscal policy we are about to adopt." That was not a Republican, that was a Democrat.

He went on to say "Congress is about to enact a \$500 billion fiscal constraint. We are doing the same thing we did in 1990, tying our fiscal hands behind our back."

Then he said something very key, that is today very important: "I worry what will happen if the Fed does not accommodate." Let me repeat that: "I worry about what will happen if the Fed does not accommodate." Sometime later I will come back to that Fed issue here in just a moment.

One of the other Members on the Democrat side of the Joint Economic Committee from the other House also was quoted on July 1, 1993, in the same forum, and said "Our efforts to reduce the deficit may be of such dimensions as to trigger an economic downturn." So we see that, again, there was some concern, and there still is, I'm sure, among these individuals about what was happening.

There is one other thing that has come to light, and remember, we are going to talk a little bit more about the Fed and printing money in a little while here. The President himself feared that his plan would produce downward pressure on the economy.

Bob Woodward, who has since written the famous book "The Agenda" which talks about issues that went on inside the White House, Bob Woodward said and vividly describes a January 13, 1993 meeting between President Clinton and

his economic team. At the meeting, Alan Blinder, a member of the President's economic committee who is now a member of the Fed, warned the President that his new taxes and budget proposal would cause "a recession similar to the Bush recession." We have not seen that yet. There is a reason for it. It has to do with the Fed, and printing money.

Woodward goes on:

The effect on Clinton was electric. The dangers of the emerging deficit reduction package seemed clear. If we do this, we will bleed all over the floor, and if Greenspan doesn't help, we will be \*\*\* bleeding.

There are probably some young people listening, so I won't say it. The Vice President added his view that the key was the Federal Reserve.

What has happened is kind of interesting. Woodward's book points out that there was a tacit agreement made between the President and Alan Greenspan, the Chairman of the Fed. The deal was very simply that the President would raise taxes to try and do something about the deficit, and in order to accommodate economic growth, Greenspan would help keep interest rates down through the Fed.

In order to help keep interest rates down—and this gets into a little bit of economic theory, but it is not too difficult to understand, interest rates are the amount of money that we pay to borrow money, it is just that simple. Money in this sense is a commodity. So in order to borrow money, we pay interest rates.

Now, if there is a fixed supply of money, interest rates will be at a certain level. If we print more money and make more money available as a commodity, it means that there are more dollars available, and therefore, we do not have to pay so much to get them. That means interest rates are lowered.

The theory was we will raise taxes and we will print more money to keep interest rates down. That worked for a while, but here is what the problem is. As we print money to keep interest rates down, the economists say expand the money supply, as we print money to keep interest rates down, something else happens. Because there is more money and it does not have as much value, it creates inflationary pressures, and prices begin to go up.

As prices begin to go up, people who are loaning money over the long haul, like a 30-year mortgage or a 20-year mortgage, or long-term bonds, they begin to look at what the future is going to be like and what their money that they are loaning today is going to be worth tomorrow. If it is going to be worth less tomorrow than it is today, they have to charge higher interest rates in order to get the return that they need.

Mr. Speaker, unlike what the President and Greenspan anticipated, I believe as long-term interest rates started to rise because we printed more

money, it began to have a deleterious effect on the economy. The Fed increases in short-term rates were soon to follow. Greenspan continued to try to follow through on his promise, and did keep short-term rates down for quite some period of time, but now, as we all know, we anticipate that in the next few days the Fed is going to have a meeting, and we may see another increase in short-term rates as well.

Now, Mr. Speaker, going back to the original plan here, increase taxes and keep interest rates low, we all know that today interest rates are growing again. This chart shows what has happened to the trend in interest rates since January 1989. You can see that they were fairly high in 1989, and as economic growth took place and as good monetary policy was put in place, when we were not printing more money, the general trend in interest rates was down.

Then, Mr. Speaker, the Clinton tax hike occurred. The deal was made with Greenspan, and look at what happened to interest rates. They are spiking back up again.

Mr. Speaker, what happens when we have high taxes and high interest rates, which were not in the President's plan, what does that do to the economy? I asked the question in my opening here, "Is there anything similar about what we saw in the late 1970's and what we are beginning to see today?"

In the late 1970's, taxes were high. They were high for a different reason than they are today. This House played a part in increasing taxes here today, or recently. However, in the late 1970's there were two other reasons that taxes were high.

First was inflation, and marginal rates were not bracketed, so with inflation up went the amount of money that you sent to Washington.

Second, the wage taxes to support Social Security and Medicare were increased dramatically during those years. We all remember what interest rates were in those years.

Mr. Speaker, if the economy is doing as wonderful as our friends on the other side of the aisle might want us to think, then we want to look at these things very carefully, because we know that we are getting about 3 percent growth today. We know that during the good period of economic growth that we went through during the 1980's we were at 4 percent or above.

We know we have high taxes today. We know we are getting high interest rates. We know that Carter had high interest rates and high taxes, and so at least, at least, I would say to the Members on the other side of the aisle, ask these questions of the American people. Let us make sure everybody understands this.

Mr. Speaker, that is essentially how I wanted to kick this 60-minute special order off tonight.

Mr. Speaker, I yield to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding to me. Let me thank the gentleman from New Jersey for taking this special order at this time.

Let me also thank the gentleman from New Jersey for the job of leadership that he is doing on the Joint Economic Committee. As you know, I have had the privilege of being the ranking Republican on that committee for 2 years, and the gentleman from New Jersey is doing an enormous job of keeping the work of that committee moving.

Mr. Speaker, I have to tell the Members, this is extremely important that we get this question of the current performance of the American economy in perspective with respect to public policy. The President, just a few days ago, had quite an elaborate ceremony in the Rose Garden where he celebrated his good fortune in that the American economy still manages to sustain a, frankly, very modest economic recovery that was begun, very importantly, in March 1991.

My Speaker, I also had the rather dubious distinction of having been quoted, I am told, by the President in that Rose Garden ceremony as one of the critics of his economic package that in fact had not yet been proven correct.

□ 1850

I was thinking about that the other morning as I was driving to work and I was listening to a commercial on my car radio about the person who got the Jump-the-Gun award for the year and the commercial ended with that person saying he had already claimed the award and written his victory speech for next year. I think in terms of the President's celebration of the economic performance under this administration this year at this time, he might be a very well qualified challenger for that Jump-the-Gun award next year.

Let me tell Members what has happened here. At the time the President announced his economic recovery plan, quite frankly I was shocked. On February 17, 1993, I had the privilege of being at the White House when the President unveiled his plan that afternoon. It seemed clear to me that what we had was essentially the same plan that we had in 1990 where we raise Government spending by 20 percent over 5 years and raise taxes.

I told the President at that time that I felt that his plan would create very possibly the kind of economic malaise we had in the late 1970's where we had this phenomenon called stagflation. As I looked at his plan and look now at what has happened, I now realize that the President frankly knew something I did not know and got lucky, and thus far my prediction has not taken place.

What did he know that I did not know at the time? I now know after reading Bob Woodward's book "The Agenda" that the President had made a deal with the chairman of the Federal Reserve to continue an easy-money, low-interest-rate policy and fund the struggling recovery.

The chairman of the Fed knows and I know and you know that if, in fact, you have a rate of increase in the money supply that outstrips the rate of increase in the real performance of the economy, sooner or later we are going to achieve that phenomenon known as too many dollars chasing too few goods which of course is a principal cause of inflation. That, I think, is what we see happening now. The fact of the matter is the chairman of the Federal Reserve is not pushing interest rates up, the interest rates are going up in response to the market, and as they do, the Federal Reserve is being signaled to tighten down on the money supply. The question will be, can he react quickly enough and strongly enough to avoid inflation?

So the inflation component of stagflation, I am afraid, is staring us right in the face today and it will be a question of nip and tuck, can the Federal Reserve reverse itself on easy money quickly enough to avoid that?

Now what the President had in his package and where he got lucky was the President had a stimulus package of some \$16 billion of additional Government spending that would have been funded with even additional Government borrowing and that stimulus package would most certainly have been inflationary. Since it would have come from borrowing, it would have come from a further monetization of the debt and, therefore, a further aggravated increase in the money supply, thus further aggravating inflation.

Thanks to the Republican votes primarily but a generous portion of Democrat votes as well that were alert to the dangers of this, this stimulus package was taken out of the President's economic package, and he got lucky. He also had a broad-based energy tax, a Btu tax.

One of the great cost drivers in the economy is the cost of energy. The fact is you cannot conduct any commercial enterprise at production, manufacture, wholesale, retail, or shipping without using energy. If, in fact, you slapped, as he had intended to do, a high tax on energy, you would have raised the cost of every good produced, every good shipped, every good retailed in America, and that would have had a multiplied effect, further aggravating a stimulus to inflationary pressure.

So the President knew he had help in the short run from the Fed that was dangerous in the long run for inflationary purposes; he knew that he had, or thought that he had further stimulus which could only have been inflation-

ary, which he was saved from by Republican votes primarily but also some very good discerning Democrat votes; and he had a Btu tax that could have been extraordinarily inflationary except that again the same discerning Members of Congress, Democrat and Republican, voted him out of his package. Even with that repair to his package, he only passed it by one vote.

What we see happening today is the weak recovery beginning to dissipate as the Federal Reserve does what it must, which is respond to the excessive money supply, cut off the lifeblood of the modest recovery we have had with the hopes that we can avoid stagflation. I would still believe that the most likely outcome of this policy mistake will be a serious recession and very likely one accompanied by serious inflationary pressures next year. It is tragic.

Ronald Reagan took in his first 2 years of his Presidency with his first budget the necessary recession to break the back of inflation that had beleaguered the Nation since 1965. Even under those circumstances, he had a higher popularity than this President who took the easy road of false economic stimulus in the early 2 years of his presidency.

Why? Why would Ronald Reagan have had a higher popularity in the first 2 years of his presidency when the economy was in a recession than this President does when it is in a modest recovery? Because the American people know when someone is doing the right thing for the right purposes and they know clearly the President's policy is the wrong thing written for a political purpose and cannot sustain the endorsement of the American people that Ronald Reagan sustained by having done the right thing for a necessary policy purpose.

I want to thank the gentleman again for letting me address the issues.

Mr. SAXTON. Mr. Speaker, I thank the gentleman for the further explanation of the role that the Fed is playing and has played in the President's economic plan here. Obviously it becomes very important that we all understand that.

Mr. Speaker, I yield to the gentleman from Minnesota [Mr. RAMSTAD] for further comment.

Mr. RAMSTAD. Mr. Speaker, I thank the gentleman from New Jersey for yielding.

Mr. Speaker, I too applaud his leadership on the Joint Economic Committee. I also applaud the leadership of the ranking member, the gentleman from Texas [Mr. ARMEY].

Both preceding speakers, Mr. Speaker, mentioned Bob Woodward's recent book. In that book Mr. Woodward says that President Clinton called his own tax plan "a turkey." Well, the President apparently knows a turkey when he sees one and that bird has now come



home to roost. The President's high-tax, high-regulation policies are an albatross around our struggling economy. I think the anniversary of the President's tax plan that we are marking today provides an excellent occasion to show through a frank and honest discussion of the results of this tax hike, the largest tax hike in the history of our country, that high-tax policies do not promote sustained economic growth. In fact, they cannot promote sustained economic growth. The President, as has been explained, has been the beneficiary of a normal business cycle recovery. I think we all agree on that.

The recovery, albeit it a weak one, was well underway before President Clinton assumed office and it is interesting to note that economic growth has actually slowed since his inauguration. Let me explain. The last recession, the Bush recession, officially ended in March 1991. Substantial growth then began in 1992. In 1993, after President Clinton was inaugurated, we saw growth slow abruptly in the first half of the year and then surge at the end of the year. But despite strong fourth-quarter growth in 1993, annual growth in 1992 outpaced that of 1993. So it is disingenuous at best for the Clinton administration to claim credit for an upswing in the business cycle that was clearly in place before Mr. Clinton became President.

We all remember how our friends on the other side of the aisle claimed, at least some of them, that this largest tax increase in history would send a signal that Washington was serious about deficit reduction. We remember how they said this would result in a steep drop in interest rates.

Let us look at what has happened. Bond yields began rising shortly after the tax bill was signed. Ten-year Treasury bonds rose from 5.3 percent in September 1993 to 7.3 percent this past July. Yet even with these increased rates, the dollar continues to fall. The continuing fall of the dollar in world markets shows that the recent increase in interest rates both by the Federal Reserve and the markets have not restored confidence in the stability of the dollar.

Mr. Speaker, all of us should be concerned that this free-fall further damages long-term economic prosperity for all Americans.

We look back to President Carter's economic policies, because they clearly illustrated the presumed trade-off between inflation and unemployment, that that tradeoff is nonexistent. Both of these harmful economic results can and will unfortunately coexist.

With inflation now as the gentleman from Texas explained so well in clear view, we face the real possibility of returning to the glory days, so-called, facetiously of Jimmy Carter.

□ 1900

We all remember the phrases malaise, the misery index readings, and stagflation. I am afraid we are headed that way again if we do not change the economic policy of this country.

Economists agree our economy should grow, and this is a consensus among leading economists from both political parties and of all ideological stripes, leading economists agree our economy should grow at 4 percent a year on average in real terms, with price stability.

While the economy has been growing at an annual rate of about 4½ percent for the three quarters, that growth has been artificially stimulated by an easy money policy that will launch us right back into Carter style economics.

Even the president is skeptical of long-term economic growth. The OMB's midsession review of the budget forecasts growth at below 2.7 percent in 1995 and next year and beyond 1995, 1996 and 1997 as well. OMB forecasts, in fact, project average annual real economic growth at only 2.6 percent between 1994 and 1999, a 5-year period of growth and real economic growth 2.6 percent. That should concern all of us.

The American people cannot afford nor do they deserve this kind of stagnation, this kind of slow growth.

We all know that the vaunted Clinton recovery is the weakest in the last 50 years, the weakest of any of the seven post-World War II recoveries. In fact, since World War II the U.S. economy has traditionally averaged 5.3 percent annual growth for the 3 years following the end of a recession. The current recovery though has only averaged 2.9 percent in the last 2 years, which is far below the average of the previous seven World War II recoveries. In fact, growth during the expansion has not even reached the average of 3.1 percent for all years since World War II. That is including the recession years.

Economist Lawrence Kudlow recently estimated that our gross domestic product would have grown by an additional \$1.1 trillion and over 5.5 million new jobs would have been created if the economy had simply grown at the post-war average.

Mr. Speaker, we must look seriously at the reasons why our economy cannot shake off its doldrums. It seems to most of us on this side of the aisle that the clear reason is the Clinton high tax, high regulation, high spending policies are a heavy anchor on the economy, and it is time to cut this anchor loose.

Economist Larry Kudlow calls the difference between the weak economic growth we are now experiencing and the economic vigor seen in past recoveries, the performance gap.

Clearly the Clinton tax increases have made a significant contribution to the performance gap. They have

taken money out of the productive, capital-investing sector of our economy and given it to the inefficient bureaucrats here in Washington.

But the real problem is the absence of the pro-growth reforms our economy so badly needs. We need a capital gains tax cut to stimulate investment and job creation. We need to look no further back than President Kennedy's era and look at what President Kennedy said and did in terms of cutting capital gains and look at the job creation and the economic growth that was resultant from that capital gains cut.

We also need to lower burdensome regulations which are increasing at the highest rate since the Carter years. Regulations are killing our small business sector which creates 85 percent of the jobs for the American working people. We must review and reduce the burdensome regulations on the entrepreneurs of this country, and above all, Mr. Speaker, we need a rational tax policy that quits penalizing the productive and rewarding the parasites.

Working with those of us who understand that economic growth comes from the private sector, nor from expanding government, this administration can close that performance gap. Congress and the President now need to work together to get the real economic growth, the real job growth that this country needs.

It is high time, Mr. Speaker, we put jobs first. It is high time we roll up our sleeves and work together in a bipartisan, pragmatic way to deal with this problem.

Finally, Mr. Speaker, I include for the RECORD the excellent article by our distinguished colleague, the gentleman from New Jersey [Mr. SAXTON], entitled "The 'Clinton Recovery' Is a Study in Self-Contradiction" from yesterday's Washington Times.

The article referred to follows:

THE "CLINTON RECOVERY" IS A STUDY IN SELF-CONTRADICTIONS

(By Jim Saxton)

On this first anniversary of the largest tax increase in U.S. history, President Clinton and his allies on Capitol Hill are singing its praises.

Using rhetoric that would make Clinton spin doctor Paul Begala blush, all good things in the economy are now attributed to Chairman Bill and his wonderful tax increase. The liberal Democrats are frustrated because they know practically no one in the real world believes their policies have boosted the economy, as evidenced in the president's 57 percent disapproval rating on his economic performance. This is not surprising. After all, even President Clinton himself called his budget plan a "turkey." This economic expansion belongs to the American people, not to politicians and P.R. consultants in the White House.

Actually, the truth is that congressional Democrats themselves don't believe the Clinton budget was good for economic growth. In 1993, Democrats and Republicans were united in the view that the Clinton budget plan

would be a drag on the economy. For example, the liberal members of the Joint Economic Committee (JEC), in their 1993 annual report, were very explicit in stating of Clinton's budget that it "will continue to exert downward pressure on economic activity through the next five years." Earlier they said, "There is danger that the recovery could stall if monetary policy does not provide the stimulus needed to counteract the restraint imposed by contractionary fiscal policy." According to these liberal members of Congress, the Clinton budget plan was "contractionary," a drag on economic growth.

The always opportunistic Clinton administration, guided by budget war room chief Roger Altman, had crafted a different message in support of the budget plan. The cornerstone of the argument was that the Clinton budget plan would "grow" the economy by lowering interest rates. Lower interest rates were the key link defining exactly how Clinton policy would boost the economy. The only problem is that interest rates increased soon after the Clinton plan was enacted. For example, the 30-year Treasury bond yield jumped from 6.3 percent to a current level of 7.4 percent. The central linchpin of the administration's whole economic argument actually went in the opposite direction from the one the administration predicted. If lower interest rates from Mr. Clinton's policy were to be the central component pushing the economy forward, how can an increase in interest rates with continued economic growth be casually linked to the Clinton program?

Mr. Altman, the administration's "message czar" and point man on the budget, is presumably too preoccupied with other matters to square all these circles. However, there are certainly plenty of others following in his footsteps. Consider, for example, the argument that the Clinton administration promised to create 2 million jobs annually and is already ahead of schedule. First of all, the Clinton promise was recognized as bogus from the beginning, even inside the White House. According to Bob Woodward's new book, "The Agenda," before passage of the Clinton package, a marketing memo from Paul Begala stated, "This bill will create jobs—8 million of them." Mr. Woodward goes on to say, "In fact, the economy would create those jobs and the economic impact . . . Begala was not fully comfortable with the simplistic, happy-talk memo. He realized, somewhat painfully, that he had become a salesman for a plan that neither he nor Clinton really believed in."

Non-partisan economic forecaster Allen Sinai testified before the House Budget Committee on the Clinton plan in 1993. His conclusion was simple: "Overall, the Program does not create more jobs than what would have occurred without the Program." Moreover, the "contractionary" effects on the economy, as the JEC Democrats described, cannot create a basis for employment gain beyond those which would have occurred anyway. Just as Clinton cannot take credit for economic developments characterized by higher interest rates, he cannot take credit for the employment growth generated by the business cycle. The upside of the business cycle preceded Mr. Clinton, and the real challenge will be prolonging the cycle long enough to see Clinton exit the White House in 1997.

Finally, it is true that inflation has reached fairly low levels. However, past inflation is not the current worry, but the potential for future inflation. Disinflation is a

process that has been under way for over 10 years. Even the most ardent supporters of Bill Clinton do not have the nerve to claim this as a result of Clinton policies. To the contrary, the rise in interest rates indicates that inflationary expectations have been stoked by Clintonomics' noxious mix of tax increases and easy money policies.

In conclusion, there was no partisan division in serious analysis of the economic effect produced by the 1993 Clinton budget. Both Republicans and Democrats correctly said it would be a drag on growth. Some members in both parties worried publicly about the possibility of a "contraction" or recession. The White House put all its eggs in the interest rate basket, and this argument turned out to be wrong. By so closely identifying the Clinton budget with lower interest rates, the White House cannot reasonably argue that its plan boosted growth under higher interest rates.

The business cycle that preceded Clinton's election continues. We are all pleased that the economy is growing and employment is rising. However, the American people know this does not have anything to do with Clinton's "contractionary" policies. The president is acting like the rooster who thinks that it is his crow that causes the sun to rise every morning. However, the sad truth that emerges from "The Agenda" is that Mr. Clinton regarded his own budget plan as a "turkey" that he did not believe in himself, but forced the Democratic controlled Congress to adopt it for political reasons.

Mr. SAXTON. Mr. Speaker, I thank the gentleman for very cogent remarks. I was particularly taken by the fact that the gentleman has alluded on several occasions during his remarks that we Republicans would do things differently, and that is obviously very, very clear, and will become clearer here on September 27 when we say formally what those things are that we would do differently.

Let me say this in introducing our next speaker: The Clinton administration likes to hang its hat on the deficit and deficit reduction as a reason to increase taxes. I would like to point out with this chart that the statements that were made in 1990 about the deficit and how worried we were about it when the deficit was much lower than it is today, and of course in 1990 we had a major tax increase to do something about the deficit. In 1993 we had another increase that we did here in order to do something about the deficit, and at the end of 1994 the deficit was significantly bigger than it was before either of those tax increases. As a matter of fact, I think it is fair to say it is not the taxes, it is the spending. In other words, we have not put a cap on spending.

Our next speaker is an expert at knowing how to put a cap on spending. He is from New Hampshire, and he has become a household word. If I said he is author of the "A to Z program" everyone would know it is BILL ZELIFF from New Hampshire, and I yield to the gentleman from New Hampshire.

Mr. ZELIFF. Mr. Speaker, I thank my colleague from New Jersey for yielding.

Mr. Speaker, this week marks the one-year anniversary of the President's tax bill which was the largest tax increase in the history of the United States.

It is an especially memorable time for me since it was also the week I initiated what has now become known as the A to Z spending cuts plan. Believe it or not, folks, it has been a year.

The original letter to Speaker FOLEY that ROB ANDREWS and I sent out outlined our plan which was bipartisan. It was dated August 6 of last year, and we asked for additional spending cuts. This was the week before the vote on the economic plan, and we stand here today on the brink of discharging the resulting legislation, H.R. 3266. All we ask for in this legislation is a 56-hour debate on setting spending priorities, allowing every Member of this body to make a difference, to offer an amendment and to have a full discussion and up or down vote.

We stand just 14 signatures short of bringing A to Z to the floor. There are a group of Members who stand ready to sign on in case the Democratic leadership fails to follow through on their promise of having a full day of entitlement cuts before the August recess.

Tomorrow we will consider some legislation aimed at trying to fulfill that deal, but it has nothing to do with entitlement spending or real spending cuts.

We spend weeks debating the California Desert Protection Act, but according to the leadership, we just do not have the time to debate cutting spending, particularly entitlement spending.

This is what is driving the deficit, and this is what is dragging the country's economy down. But somehow the leadership prefers to keep out of control entitlement spending on auto pilot.

But we are here tonight to mark the one-year anniversary of the Clinton tax bill, a celebration for some and a deep concern for most of us.

Never in our history has a tax increase led to a strong economy. On the contrary, they have led to further destruction of the economy. We saw that happen in the Carter administration as well and yes, in the Bush administration in 1990. President Bush gave in to a tax increase of some \$164 billion and put an end to the largest peacetime expansion in American history.

The facts are there, Mr. Speaker. The White House's own numbers show that growth and job creation are way behind schedule, and the numbers of my colleague from New Jersey show that for this stage in the business cycle.

□ 1910

The economy has been growing between 3½ and 4 percent for the last three quarters, but this growth is due to inflationary monetary policy, not any great economic wonders of the



Clinton administration. The policy being used by President Clinton and Alan Greenspan over at the Fed has been to raise taxes and print more money. This is not a sustainable policy to insure long-term growth. You cannot keep printing money and expect real growth to continue.

There is a threshold, and as soon as we hit that threshold, even this mediocre recovery will fizzle into high price inflation and high employment.

Further evidence of this is in interest rates. Contrary to what people believe, the Fed is not leading this increase in rates. It is merely following market pressures. This is driven primarily by fears of inflation because of the Clinton-Greenspan policy of raising taxes and printing lots of money.

About 3 weeks ago, Louis Rukeyser wrote in the "Wall Street Journal" a full-page letter to President Clinton and talked about the falling dollar, talked about the lack of confidence in the world, and basically, primarily indicated that the falling dollar is the result of our inability to settle and make a difference in terms of getting control of entitlement spending.

The bottom line is that this is a failed monetary policy, because we are just dragging money away from the private sector and into the public sector. There is no way that a free-market economy can insure long-term growth if the Government keeps eating up such a huge chunk of the gross domestic product. The Federal Government keeps spending and spending. The President and Congress are fooling the American people by saying they are bringing down the deficit. This is untrue because all we are doing is adjusting the deficit numbers to inflation under a baseline budgeting system that many of us think is a gimmick.

Sure, we can add a new category that shows the real budget, and we will talk about that tomorrow, by comparing this year's spending against last year's. This is the way we do it in the business world, but still allowing a baseline will continue to give the Democrats ammunition for fooling the American people.

I find it incredible that the President is taking credit for these policies which will raise the Federal debt \$1 trillion over the next 5 years. The President and the Congress do not even mention that. They do not mention it for political reasons, and the end result of their continued failed policies will kill this country's economy. We cannot let this happen. We have to turn these policies around. We have to cut taxes and not increase them, and we need to bring Government spending under control.

The American people are no longer being fooled. It is here that we see the importance of A to Z, and this is not a gimmick, as the leadership in this body has claimed on an irresponsible basis. It is a serious program to cut Government spending in the face of increased taxes and inflationary policies.

A to Z is the very least that we can do and the very best we can do to start bringing this economy under control. There is a long way to go to pay off a \$4.7 trillion debt and controlling the deficit and start living within our means, but we can start with reining in Government spending and getting the Government out of the hands of bureaucrats and into the hands of the private sector.

Many of us believe the private sector is where the job creation is and where the real growth potential for our country's future is. It is about time we understand low taxes come from, guess what, low spending. That is the way we do it in New Hampshire, and this is the State where there is no income tax and no sales tax. We keep our taxes down as a result of low spending. President Clinton believes that more taxes and more spending will reduce the deficit.

The American people know that this does not make sense, and they are not going to buy into this little gimmick. If President Clinton wants to brag about his failed economic policies, well, so be it. That is his privilege. But for this Member of Congress, I am very proud to have been one of many who voted against that plan which increased our debt \$1 trillion over the next 5 years.

I thank my friend, the gentleman from New Jersey, and I appreciate being involved.

Mr. SAXTON. Mr. Speaker, I would like to thank the gentleman for his very articulate explanation of A to Z and other related matters.

The one thing the gentleman mentioned which I would just like to talk about here just for about 30 seconds, part of the press conference that I made reference to earlier that was held out in the triangle earlier this week was about the deficit and how wonderful it is the Clinton economic recovery tax program has somehow begun to reduce the deficit. That is simply not true, and the reason it is not true is because, while the deficit is coming down, there are some very good reasons the deficit has come down. We anticipated, for example, about \$20 billion more in expenditures for the S&L bailout than we had to make, and, therefore, we did not spend that money.

As has been pointed out several times, the last three quarters of growth that have been 4 percent or better as a result of this loose-money policy where we are printing money has spurred the economy; we have gotten more economic growth and, therefore, we have seen money come into the Treasury. But that is not because of the President's economic plan. It is because of the deal that he has made with Alan Greenspan which, on this chart, shows very clearly that interest rates are on the rise again.

When interest rates get too high and taxes are correspondingly too high, we get into all kinds of problems.

Mr. ZELIFF. If the gentleman will yield further, I would just like to end my end of this by saying that, you know, we do this a lot in town meetings up in New Hampshire. If we came before this body or any group in this country and we talked as if we were talking to a banker and we said that we were \$4.7 trillion in debt, soon to be \$6 trillion over the next 5 years, our interest debt is \$212 billion this year and will soon be \$272 billion in the year 2002, and if we go further on to say that our average debt is a little less than \$200 billion this year and projected to be that way throughout, can we borrow more money? The banker would normally say no. The problem we have with the management of this House, the leadership, they are saying that is OK, "Trust us, we are on automatic pilot. We do not need to deal with entitlements. We do not need to have a foolish A to Z thing that takes 56 hours of debate to cut spending and set priorities."

I think, frankly, they are wrong, and we are right. I think the day is going to have to come, and we certainly wish that President Clinton would take the initiative on this; we need to cut spending to start living within our means, and then the policies will start to work.

I thank the gentleman very much.

Mr. SAXTON. I now turn to the gentleman from Texas [Mr. DELAY], the chairman of our Republican Study Committee, a gentleman who has been involved in many economic matters in the 10 years that we have served here together.

I yield to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. I thank the gentleman for yielding.

Mr. Speaker, I must say that the gentleman from New Jersey has been a stalwart in bringing the truth to the American people.

The studies that he has initiated in his side of the Joint Economic Committee have been well-done studies that show that the reality does not match the rhetoric that is coming out of the White House. The gentleman has been incredible in proving that, unfortunately, we have a media in this country that just refuses to challenge the President on the things that he says.

During the campaign we may remember that the President said he was going to end welfare as we know it, and he comes out with a welfare reform package that expands welfare as we know it.

Just recently, just today, we sent the crime bill back to the conference committee. You remember this time last year the President did not support the crime bill in the Senate, and all of a sudden he jumped out in front of the parade and claimed it was a great bill. Then the bill got worse and worse, and he took credit for the bill that has been rejected by the People's House.

I think the gentleman from Virginia [Mr. GOODLATTE] put it beautifully when he was speaking on the rule on the crime bill when he said the President is trying to look like Dirty Harry, but he is turning out to be Barney Fife with this crime bill. The same thing is happening in the economy.

The gall of the President of the United States to stand out there and take credit for an economy that he had nothing to do with is beyond me. He ought to start writing fairy tales, because the myths that he is perpetrating on the American people are unbelievable, and what kills me is really interesting and funny to watch, the American people do not believe the myths that he is putting out.

For instance, the gentleman was talking about the first myth that the administration's economic policy has actually restored economic growth, and here we are now falling prey to economic revisionism by this White House, when your own study, the study by the gentleman from New Jersey, reports that the campaign of economic revisionism implies those who benefited from the 1980's did so improperly, even though an objective analysis of the data revealed that income gains were enjoyed across the board.

The administration is taking credit for the economy's 3 percent growth rate in 1993, and a 7-percent growth rate surge in the last 3 months, when anyone who has had Economics 101 knows that it takes more than a year to see the effects of new policies.

Myth number 2, the administration's economic policy has helped create new jobs. This one I just cannot believe that they would try to support such a myth. The President has said that his economic program has produced almost 4 million jobs in just 18 months, when the truth is, as we all know it, the economic recovery was well under way long before his economic program took effect.

□ 1920

And studies show that since the inauguration 84 percent of the jobs created have been in the lowest paying categories as compared to 69 percent during the Reagan and Bush years. I can remember Member after Member coming to this floor claiming that the Reagan and Bush jobs were nothing but hamburger-flipping jobs. Yet they run from that statistics when you find that the jobs that are claimed to be created by this administration are low-paying jobs.

According to the Bureau of Labor Statistics, right there on that chart, manufacturing jobs have actually decreased by 56,000 since President Clinton has taken office.

Mr. SAXTON. I would like to make reference to this chart. This chart shows the length of the average work week beginning in 1984 and coming

through 1993. We can see that in 1993 the average work week for manufacturing jobs is significantly longer than the average has been. One might ask why is that? Is it because we are producing so much more? We all know that is not true. Is it because the economy is growing faster than it was during these years? We know that is not true. The answer has to be that employers would rather hire people to work longer and hire fewer people than they would to hire more people and work the average work week that we used to work.

I might digress here for just one other point. The reason, in my opinion, employers are doing this is because they do not know where to turn next, in terms of taxes, in terms of health care reform, mandates, additional responsibilities for employers. So, fewer workers mean less overhead and we just work a little longer.

Mr. DELAY. I think also, if the gentleman would yield, the opposite is true, workers are willing to work longer because they are having to work longer in order to maintain the same standard of living that they had in the years past.

In my district I know people are working two jobs just to pay for the standard of living that they enjoyed 5 to 10 years ago.

Why is that? It is because the Government is taking—the cost of Government is well over 51 percent of their income. The Government is taking more and more of the labor American workers in this country, and certainly it has been shown to be so in this.

Let me just say it is also interesting, other than the study the gentleman is laying out, that the Washington Times reported that since last year an average of about 170,000 jobs per month had been created, and compare that to between 200,000 and 250,000 jobs during same expansion period of the 1980's, per year.

So when they claim they are creating all these jobs, what they are claiming is creating all these jobs at a slower rate than had been created in a good economic expansion.

I might just say in April, when President Clinton's retroactive tax increase and the wealthy owning at least one-third of the tax hike that raised their rates from 31 to 39.6 percent, personal consumption expenditures fell and the personal savings rate dropped to its lowest level since 1987.

The problem is that 20 to 25 percent of all consumer spending comes from the wealthiest 5 percent of the population. Arnold Moskowitz of Moskowitz Capital Consulting of New York predicts that Clinton's scheme to soak the rich will actually slow the entire economy from 3 percent growth to 2.5 percent growth.

I just want to say that the American people are not buying these myths that are coming out of the White House.

Fully 57 percent of the American people disapprove of the President's handling of the economy, while only 36 percent approve. Another 81 percent of the American people disapprove of the President's handling of the deficit, while only 28 percent approve. And 61 percent of the people disapprove of the President's handling of taxes, while only 31 percent approve.

This President is not doing anything to improve the economy; in fact, as the gentleman from Texas [Mr. ARMEY] said, he has just been lucky that it has not landed in the toilet.

Mr. SAXTON. I thank the gentleman for his statement, and, as always, an articulate and fine statement.

I would like to turn quickly to the gentleman from Illinois [Mr. MANZULLO].

Mr. MANZULLO. Let me just make a few comments on the economy.

I am not going to stick to my text on this. I do not think most Americans realize the extent of what this huge \$4.7 trillion to \$5 trillion debt, what this means in terms of ordinary day-to-day life.

Buried in the budget that was passed is something called generational forecast. We received an interesting article from Paul Tsongas and Warren Rudman, head of the Concord Coalition which analyzes different problems with the budget and gives their suggestions for putting this country into some type of financial order.

That is that for every child born in the year 1992 and thereafter, by the time that child is in the work force he or she will have to pay, because of the huge, growing national debt, an income tax rate equal to 88 percent, that is 88 percent. And that says nothing about State and local and county taxes.

When I talk to the folks back home in Illinois at our town meetings, in grocery stores, walking from business place to business place, it is apparent that people know this deficit is horrible but do not realize that we are just really the width of a whisker away from financial and economic collapse, if the debt and spending in this Nation continue.

That means we are going to reach a point where there will not be enough revenues to pay the interest on the national debt, and at this point the Government does one of two things: It either monetizes, which simply means it prints up or cranks up money; or, two, it declares all Government obligations to be fulfilled and paid in full without doing it.

Now, you can imagine collapse of the economy.

I just wanted to share that with the gentleman from New Jersey to sort of bring to a focus point the concerns that the gentleman has been sharing here during these special hours.

Mr. SAXTON. I thank the gentleman for bringing out what a serious issue



the national debt poses to us as well as the fact that, you know, if you plotted out the revenue that we have had coming into our Federal Treasury over the last 10 years and you plotted out on the same graph or chart, the line representing the expenditures, you would see a revenue line down here, an expenditure line that goes like this, and they are simply getting further and further apart. Hopefully, we are seeing some tipping back together here during the last few months, again for some good reasons.

But if I may, I would like to yield to the gentleman from California [Mr. BAKER].

Mr. BAKER of California. I say to the gentleman I certainly appreciate being here this evening.

We ought to leave the economy to the economists because politicians have done a poor job.

During the 19-million-job-creation 1980's, the Democrats told us these were just hamburger-flipping jobs and nothing substantial was occurring.

Then we found out those people were paying taxes, the economy was growing, and revenue was increasing to the Federal Government. Instead, the Government is flat, the private economy is flat. What have we said about it? We said, "This is wonderful, Bill Clinton has said he has created all these jobs and things are just rosy."

Then we step to the microphone and say these are just hamburger-flipping jobs, these are not real. Probably half is about true. But why? What is it wrong with the economy? Why is it flat? Why is it not growing? Because we raised taxes over \$100 billion a year ago today.

□ 1930

That is what the problem is, and everyone knows when you raise taxes and suck that much money out of the economy you are not going to be able to create jobs. The Government has to get out of the way so the private sector can lead. That is true in health care; it is true in the economy. So, we are not going to debate whether or not he has created so many jobs because we know that they had to raise in January 1993, the day Bill Clinton took office, the Labor Department had to raise, estimates of jobs created in that terrible year of 1992 under George Bush; 158,000 jobs, meaning that we have actually lost 58,000 jobs since then in manufacturing.

So, we can debate numbers, but what the American people want to know is are we leaving business alone? Are we giving the American public enough money to invest, to save, and to create those jobs? And the answer is no, this Government is growing like Topsy, and the real problem is more debt and more Government.

The reason the crime bill failed today was because it was \$33 billion.

That bill started out in the House at \$22 billion. It went to the Senate at \$28 billion. It came out of conference at \$33 billion. If every cent of that was for crime control, we still could not have afforded it. So, that bill is now going back to conference for a quick diet, and it will come back a toughened, lean, and mean crime bill that puts police on the street instead of sensitivity trainers at the other end of the 911 call.

I say to the gentleman from New Jersey, it is a pleasure to be here tonight. Let's let Government get out of the way. Let's encourage the private sector to invest, to risk, and to create those jobs. Let's create the incentive to save in the minds of the American people, and we'll put this country back in order.

Mr. SAXTON. Mr. speaker, I would like to thank the gentleman very much for being with us here this evening to discuss these very, very important issues, and I would also just like to say to all the Members that these issues are things that we are going to be dealing with in the future, and I hope that this special order tonight has shed some light. I tried not to be too partisan about it, but there are differences in the thought process or in the basic approach that, I think, that the two parties have here, and I hope that we have been able to point them out in an objective, in an objective way.

Mr. Speaker, the hour is growing late, and I know there is more business in the House, so at this point, I guess with very little time left. I conclude.

#### HEALTH CARE REFORM

The SPEAKER pro tempore (Mr. LEHMAN). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentlewoman from Connecticut [Ms. DELAURO] is recognized for 60 minutes as the designee of the majority leader.

Ms. DELAURO. Mr. Speaker, before I get to my remarks tonight on health care reform and a discussion of health care, several of my colleagues were just on the floor talking about the economy, several of my Republican colleagues. I might just take a minute to note that I do not know where they got their facts from in terms of what the state of our economy is today, but let me just quote to you from some, if you will, nonpartisan folks who look at the economy on a regular basis, folks at Lehman Brothers.

To President Clinton's credit early last year he rejected an either-or construction for U.S. growth versus deficit reduction. Clinton's blueprint for economic revival had as its centerpiece a multiyear program of deficit reduction. It promised higher growth in the short, it promised higher growth in the short run. A move to restrain deficit spending, he wagered, would both lower U.S. long-term interest rates and energize

U.S. interest-sensitive sectors. He goes on to say lower deficits, lower long-term rates and higher real growth was the overall promise. With the data now rolling in it seems clear that President Clinton delivered on all three counts over this second half of the year.

Allen Sinai of Lehman Brothers, again as reported by the Washington Post: This is the healthiest American economy has been in 30 years.

David Shulman of Salomon Brothers, as reported by the Washington Post: The economic recovery is now moving from Wall Street to Main Street. There will be less money flowing into the financial—in the financial economy and more flowing into real recovery.

I just felt the need to mention some of these things because in fact the economy is recovering, and we have had under President Clinton 2.8 percent growth 1993, 7.5 percent growth in the fourth quarter, 3.3 percent projected for this year. Jobs are up 1.7 million. New private sector jobs, 60 percent more than during the entire Bush administration. The deficit is down. It has been the largest deficit-reduction package in history. We have seen the lowest deficit numbers for the first time since Harry Truman held the office of President.

So, I do not know where my Republican colleagues are getting their data.

Furthermore, I just make one or two more points here. In this carbon Congress the House Democrats passed the largest deficit-reduction plan in history cutting \$255 billion in spending cuts. Again, I do not know where they are getting their economic data, but in fact, I think it is more partisan rhetoric, and if you—some of my colleagues who were speaking are the same folks, in fact, who did not vote for the budget package. As a matter of fact, there was not a Republican vote for the budget package in this body last year.

These are some of the same folks who were telling you that we do not need or we cannot have a health care reform and that health care reform will, in fact, do in this Nation as the Democrats have proposed it.

They were wrong last year about the budget, and I might add that in fact they are wrong again about health care reform.

Mr. WISE. Mr. Speaker, if the gentlewoman would yield for just a moment.

Ms. DELAURO. I yield to the gentleman.

Mr. WISE. You bring up an excellent point because these are the same people that just a year ago in this Chamber were making dire predictions about the package, what would happen if the budget package passed. Indeed let us look. This is the third year of declining deficits, the first time since Harry Truman that we have had that situation in this country. The deficit this year is going to be 40 percent lower than anyone projected last year. The deficit

package, deficit-reduction package, is working and working more than anyone even thought.

I was on the Committee on the Budget when it held a hearing just a couple of months ago with Alan Greenspan, not someone given to overeffusive optimism, who was saying the economy was in the strongest shape it had been in many years, and he saw the economy being in such shape that it could expect to grow in a good fashion for many more years. It was in the best shape he had seen it in in a long time.

Now our colleagues, not just those who just spoke, but many of the others on the other side of the aisle, same crowd that a year ago were saying that passage of the Clinton budget package would be a job killer. That was one of the main words used, and they stood in the well and would claim, based on a study they had from some group, Joint Tax Foundation or some Washington almost-think tank, that in each district, and they would name a district, there would be  $x$  thousand number of jobs lost because of this package. I had got good news for my district, bad news for their foundation. Jobs are only growing in my State and in other States, and indeed it has not been a job killer, it has been a job creator. They said it would be an immediate recession. Instead we have seen job creation at the rate of four times of those halcyon days of the Bush administration. We are seeing a recession that is steadily moving—seeing an economy that is steadily moving along, not in a recessionary mode, even though there has been deficit reduction at the same time that the Federal Reserve independently has been hiking interest rates, and the economy is still growing.

Those are all positive signs.

And finally, to the largest tax increase in history, they warned us about that. The fact of the matter is that for the 1,600 West Virginians, all over \$140,000 a year that did pay more taxes as a result of that package, 105,000 working West Virginians families got a tax cut, and indeed that is giving them the ability to maybe buy health care; that would be nice, but also to be consumers and to be fueling this economy.

So, I think that, as we move to the health care discussion now for the special order you have scheduled, I am glad that we just had this discussion prior to this because this was the crowd saying no on the budget. They are now saying they do not want to do health care. Look at the record. Look at the record.

□ 1940

Ms. DeLAURO. Amen. Let us get on to the discussion for this evening, and I am delighted to have my colleague join with me this evening as we talk about health care reform.

More than a year ago, we began our efforts to try to bring affordable health

care to every American. At long last we have arrived at the moment when this House will begin that debate and vote on health care reform legislation.

I am proud to have several of my colleagues join with me tonight, people who have been at the forefront of the health care reform battle, and who support the plan that has been put forth by the majority leader of this House.

As hard as we have all been working, I think we would all agree that no one has worked harder than our majority leader, DICK GEHARDT, and I would like to take a moment and commend him for his insight, his patience, and, most of all, for his persistence in putting together a plan that we can all be very, very proud of.

Let us be clear why we are here. We are here because this country in fact has a health care crisis. We are here because 40 million Americans are uninsured and 81 million Americans have preexisting conditions. We are here because small businesses are paying 20 to 30 percent more than their larger competitors. We are here because too many senior citizens are forced to make the choice between prescription drugs and their next meal. And we are here because we have listened. We have listened to these countless health care horror stories from every district and every State in this country.

Every single Saturday, I do office hours in my district. I go to a large supermarket in one of the 18 towns that I represent. People are notified. They come there and talk to me about what is on their minds, what are the issues that are of real concern to them.

The faces are different every weekend, every Saturday morning, but the stories are the same, the exact same stories. Mothers who cannot get health care for their children, fathers who lost their jobs, and with them the health care benefits that they need for their families.

So I believe we are going to pass health care reform in the House of Representatives. The question is whether or not we are going to pass real health care reform that will make things better for people, or are we going to pass some half-baked reform that could actually make things worse.

We have a choice to make. We will all be faced with a choice in the next several weeks.

Let us take a look at the health care plans that have been proposed, to see which of them begins to solve the problems that brought us to this point in the debate.

Yesterday the largest senior citizens organization in the country endorsed the Gephardt bill. The AARP, 33 million members, know what we are here to discuss tonight, and that under the Gephardt plan, that Medicare is safe, that a new prescription drug benefit will be available for seniors, that for the first time we will see the begin-

nings of long-term care and home health care for seniors, and that in fact insurance companies will not be able to discriminate against seniors because of age or because of preexisting conditions.

Simply put, what we are talking about here tonight is a program and a plan that would guarantee private insurance to every single American, that can never be taken away, and that is affordable.

The other plans that are offered only give us incremental reform, insurance reform, and nothing else. They rely on various insurance reforms and subsidies for some Americans, but what they do not do is guarantee coverage to all Americans. And that is why they are not going to work.

I would be delighted to yield to my colleague from Maryland.

Mr. CARDIN. I want to thank the gentlewoman for taking this time and yielding to me. We very much appreciate the effort you have made to try to inform the American people about the debates that have taken place here in the House of Representatives.

It is interesting the bill you are referring to, the bill that the majority leader has put together, is a bill that has been carefully scrutinized. It has gone through the normal committee process, with every committee that has had jurisdiction over any part of health care reform having the opportunity to work on the bill, having public hearings where the public had an opportunity to comment, where we had open markups that were carried live on C-SPAN where the American public had an opportunity to see both Democrats and Republicans working together on amendments to bills, trying to improve the bill, making reports to the House, and then the majority leader bringing together the work of the various committees in a coordinated way.

The gentlewoman is absolutely correct. We have really one option before us. That is a comprehensive bill that has been through the scrutiny of public comment and the Congressional Budget Office that scores all that work. The Gephardt bill, the bill that he has put together, is a comprehensive bill that has stood the test of very close scrutiny, that will, I think, live up to the objectives that the American public will demand, and that is universal coverage, that everyone is insured; effective cost containment, that it is fair to all of our people, it is affordable, affordable to small business, affordable to people who need to buy insurance, whether they work for a small company, a large company, whether they are in the work force or not in the work force, and that it is well-balanced. I wanted to really underscore the point that the leadership bill, the Gephardt bill, has been through all that scrutiny, it has been carefully reviewed.



Last night we received some substitutes that were filed by various individuals and groups. Those substitutes on quick review do not even come close to dealing with the problems. What I find very disturbing is that people, individual Members who have been identified with much more comprehensive approaches, it looks like they are backing off of that and going forward with a very incremental approach that will not even come close to dealing with the problems. It looks to me like we are only going to have one choice, the Gephardt leadership bill.

Ms. DELAURO. I thank my colleague for his comments. Earlier the gentleman from West Virginia made a similar point when he said there has been debate, there has been discussion, on a number of pieces that find themselves in the Gephardt bill. It has been put together. We have discussed these issues in this body.

The notion that there has been no discussion on health care is so far from reality. If people have not had an opportunity to discuss health care in this body for the last 18 months, I do not know where they have been. They have not been doing their job.

We have all had ample time, ample debate time, ample review time and opportunities to take the closest look at all of the various pieces of these health care plans that are being discussed. So it is really spurious for people to come forth today and say there has been no debate and discussion on these bills.

We need to point up additionally that the whole notion of universal coverage, which is where the Gephardt bill takes us, to make sure that all Americans are covered, is key and critical. If you begin to take a look just at these incremental pieces, the go-slow, halfway approach that has been advocated by the Dole, Michel, and Gingrich bills, they fail the American people. The Michel bill, for instance, would only require employers to offer, but not to contribute to the cost of insurance for their employees.

What kind of comfort does that give to those currently uninsured working Americans? Is it really an improvement over the status quo?

Clearly the American public, 72 or 75 percent, believe that critical to passage of health care reform is universal coverage.

The Rowland-Republican substitute would also preserve the status quo. The poor get health care, the rich buy insurance, and one more time, middle class America, middle class families, have got to go it alone.

Mr. CARDIN. If the gentlewoman would yield, I think that point needs to be underscored. We have the Gephardt bill, which will get us to universal coverage. No one disputes that. The objective scorekeepers have looked at it. The groups that have taken a look at it concede it will get us to universal cov-

erage, that everyone, whether they are in the work force or not, whether they are wealthy, whether they are working people, whether they are middle income, whether they are poor, every one will be covered. And we expand private insurance under the Gephardt bill. There is no question about that.

Now, when we started this debate, I thought it was fairly well agreed that our goal would be to accomplish 100 percent. We would get every one covered by health insurance in our country.

All of a sudden, some of the people who have been speaking the loudest about universal coverage are changing the goals. We heard some people say, OK, we can get down to 95 percent and we are OK.

As I understand what you are saying, it is that the Minority Leader's bill and the Rowland-Republican substitute bill do not even get us to 95 percent by their own projections. They are down to 90 percent, which they are claiming, and people are looking at it objectively and doubt if they will even accomplish 90 percent. We are at 85 percent today with close to 40 million Americans without any health insurance benefits.

□ 1950

If I understand correctly the alternatives that are being brought forward, at best we will make very little change in those numbers and may, in fact, if I remember listening to you on the floor the other day, that if we do the insurance reform, if we increase the cost of health insurance for the average person who currently has insurance today, because we do not get universal coverage and we do insurance reform which brings higher risk to the insurance pools, we may, in fact, frighten people out of the insurance market. We may end up with less people insured rather than more, just compounding our problems.

Let me also point out the fact to the American people that if you have less people insured or if we do not significantly increase this 85 percent, if we end up with 30 million people uninsured, that the number I heard on the Rowland substitute, that there still will be 30 million Americans uninsured when the bill is fully implemented in the year 2002, that you and I, those who have insurance are going to continue to have to pay for those who do not have insurance.

We are not going to be solving the problems that we were sent here to do, to stop this cost-shifting, to have a fair system, a cost-effective system. How can we expect health facilities to locate in communities where there is a large number of people who do not have insurance? They are not there today because they are not getting reimbursed for the care.

If we do not get universal coverage, we cannot work for a more cost-effec-

tive health care system. We cannot bring costs down. So when the Republican substitute or the Rowland bill does not bring us to at least 95 percent, then we are not, I do not know why we should even really consider it health care reform.

Ms. DELAURO. My colleague is absolutely right. In the Michel bill, the minority leader's bill, it leaves more than 38 million Americans, most of them hard-working Americans, without insurance. That means that more than one in seven Americans, many of them children, most of them in working families, will have no health care coverage at all. What will we have accomplished?

If we move back into the same system we have today, which only continues to increase the cost to everyone else, who is insured and who is paying for their insurance? The whole point of this was to help to try to stabilize costs, bring costs down today to those who are carrying the largest burden.

If you only deal with the insurance reform portion of it, you then, once again, increase the cost for everyone else. I have a preexisting condition. I am a cancer survivor. If I am included in a pool, the risk goes up. If we only allow for the insurance reform and not make sure everyone else is included, then it will be those at the highest risk who will be in the pool; the healthy will opt out. And once that awful spiral will continue while the costs will continue to rise and rise.

Any of the substitutes that are being put forward, the minority leader's bill, the Rowland Republican substitute, leave millions and millions of Americans uncovered in insurance with everyone else picking up the cost.

Mr. CARDIN. If I could just emphasize one point, this is one area where people who have insurance or people who do not have insurance should be together on. Whether you are a person who has health care insurance today or you are a person who does not have health care insurance today, we are together in saying we must have universal coverage. The person who does not have insurance needs it, needs it so that that person can get access to care today. The person who does have insurance should be tired of paying the bills of people who do not have insurance. So it is critical that for all Americans that we get universal coverage.

Ms. DELAURO. I would like to make a point about, in terms of the Rowland Republican substitute, I mentioned that the middle class families are going to have to go it alone. I will just give an example. A typical middle income family earning about \$37,000 could face premiums of almost \$6,175 per year under the plan. The same family would pay \$1,065 under the House leadership, under the Gephardt plan. That is a savings of \$5,000 a year for families under the Gephardt plan.

You show me a family in this nation that does not want to save \$5,000 a year.

I yield to my colleague from Utah, Ms. SHEPHERD.

Ms. SHEPHERD. I would like to point out that in my district, in Salt Lake County, UT, that as near as we can estimate that all the people that earn in between \$20,000 and \$75,000 a year, basically middle income families, each one of these families, and there are 120,000 of them in my district, each of these families will almost certainly pay \$600 more a year for their insurance premiums, if we have an approach which simply eliminates preexisting conditions and really makes it impossible for insurance companies to manage their costs in any other way except raising insurance premiums.

If all we do is tell insurance companies that they can no longer exclude people from their policies, and that is the only thing that this Congress does, then what we are doing is absolutely guaranteeing that every American's insurance policy premium will be greatly increased.

And, at the time that it is increased, they are going to look at their check-books and decide whether or not they can continue to pay for their insurance and, if they cannot, they will drop it. And then when they get sick, they go to the hospital. And when they go to the hospital, after the hospital has taken their house and their car and everything they own, the hospital will pass the remaining costs onto the paying insurers and more insurers will drop.

This has already happened in New York. It happened in New York because in New York they decided they would reform insurance. They reformed insurance, but they did not ask all New Yorkers to be covered with insurance. And as a result, in New York, what is it, nine months later, they have fewer people insured. And those who are insured are paying a lot more money.

This is a formula for a disaster in America.

Mr. WISE. The gentlewoman from Utah makes a case study. Those who want to look, for example, at why incremental reform, why insurance reform by itself will not cut it need only look to the recent New York State experience.

Also I am fascinated by those who want to create some kind of generational war and say they are protecting young people by keeping them from having to participate in universal coverage. They are not protecting young people.

What happened in the case of New York State was that by enacting insurance reform, mainly saying you cannot deny people coverage because of pre-existing illness but not making it apply universally, what happened is that young people could not afford the premiums any longer and opted out.

Some young people, actually people in general said, then I do not need to worry about preexisting coverage because I can get into the pool at the point I get sick. But many young people who were on the margin, as far as being able to pay premiums found that now premiums are rising so sharply, they could not afford it and they are not covered anymore.

We are all for insurance reform but we know, on this side of the aisle particularly, that insurance reform can only happen in the context of total universal coverage, guaranteed private health insurance that cannot be taken away, for everybody. Otherwise, insurance reform does not make the problem better; it makes it worse.

Mr. CARDIN. I think we should stress that both the Michel bill and the Rowland so-called bipartisan bill do not provide for universal coverage, try to do insurance reform and will lead to the results that we are referring to, that the gentleman from West Virginia just mentioned. That is, we run the real risk that our constituents who currently have insurance are going to find that their premiums will go up substantially because both of those substitutes fail is not providing universal coverage and try to do insurance reform.

Ms. SHEPHERD. If the gentlewoman would continue to yield, I would like to make a point about business, especially small business, since I owned a small publishing company for over a decade.

I was one of the people who purchased insurance for my employees, because I thought it was the right thing to do. I did it as soon as I started the business. I did it much in the same way as I signed up for the utilities that we had at our company. I really did not notice it, that anything was happening, until years later when all of a sudden the bills started to rise.

Then I also started losing bids in my publishing company. And I tried to figure out why I was losing these bids. And when I went out and investigated it, what I discovered is, I was the only publishing company that I bid against that had health care coverage for my employees.

□ 2000

So suddenly I realized we have a public policy which actually punishes businesses when they do the right things and carry health insurance for their employees.

Mr. Speaker, I was angry about that, because I thought it was very unfair that I should be asked to pay for businesses which chose not to cover their employees, and that is precisely what I was doing. It made my uncompetitive, and I believe we can actually take that small experience that I had in my business, apply it to all of America, and say that very same dynamic is making America uncompetitive in the rest of

the world, because we are the only industrialized country that we compete against that does not have 100 percent of its people insured.

Mrs. UNSOELD. Would the gentlewoman yield?

Ms. DELAURO. I yield to the gentlewoman from Washington.

Mrs. UNSOELD. If your competitors had been required, had had an employer mandate so everyone was offering insurance to their employees, that would not have been a disadvantage for you, would it have?

Ms. SHEPHERD. No, No; it would have leveled the playing field, and then we would have been competing on level turf.

Mrs. UNSOELD. Mr. Speaker, in this House we hear over and over again the cry that we must cut the deficit, and yet some of the very people who are expressing that and say that "we've got to attack entitlements," the biggest runaway of entitlements, the only one is health care.

The single thing that would bring the cost of health care down is universal coverage, employer mandate. Why should there be 85 percent of those who are uninsured work for a living, or are part of a family that works for a living, and yet they are not covered.

Mr. Speaker, the small business employers who give benefits to their employees are put at an enormous disadvantage. The gentlewoman has illustrated it perfectly.

Mr. CARDIN. If the gentlewoman would yield again, to compare the different approaches we have as to how it would deal with the problem that the gentlewoman raised, the Gephardt bill would deal with that by putting every company on a level playing field, but even going further than that.

That is, the small businesses that have legitimate affordability problems, there is a very significant tax credit program that reduces the cost for small businesses that have a large number of employees that are of lower wage, where you could run into some of the affordability issues. That is provided in the Gephardt bill.

The problem that the gentlewoman referred to would be answered. Once again, looking at the substitute of the Republican leader, the gentleman from Illinois [Mr. MICHEL], looking at the so-called Rowland bipartisan bill, neither one of those bills deals with the problem of small business.

You would still be at a terrible disadvantage if you as a small business person attempted to insure your employees, and there is no help, no help at all to make insurance costs for small businesses more affordable. In that case, again, the substitute is—

Ms. SHEPHERD. It is even worse than that, if the gentleman will yield. It is so bad that not only is there no help, if we do simply insurance reform, and we keep the system basically as it



is today, we can guarantee small businesses that their insurance premiums will rise and rise and rise, because businesses bear the brunt of this, really.

Ms. DELAURO. Mr. Speaker, I think it is interesting to note that with the Michel bill, insurance companies will be able to charge small businesses more for the same exact coverage, exactly the way it is in the current system. Small businesses are likely to face administrative costs that are up to 800 percent higher than those that are paid by larger businesses.

In the Rowland substitute, the premiums, once again, will be higher for small businesses. Those are the early predictions on what it will be. There are no discounts to assist small businesses, which you will find in the Gephardt bill, because there is an understanding. There are small businesses today that would like to cover their employees, and they are having a difficult time doing that.

Ms. SHEPHERD. Two-thirds of small businesses do, they are doing the right thing.

Ms. DELAURO. They do. There are some that want to do that and they can't. What we want to try to do is to make it as easy as possible for small business to do that through a tax credit, to make it possible for them not to go out of business, which is what some of the naysayers will do, and both of these substitutes that we are talking about provide no opportunity for a small business to get the kinds of discounts that would allow them to prosper in their business and at the same time to be able to provide coverage to their workers that they can share responsibility in, and their employees can share part of that responsibility for paying the cost of health care.

Mr. WISE. Will the gentlewoman yield?

Ms. DELAURO. I yield to the gentleman from West Virginia.

Mr. WISE. The gentlewoman from Utah, who ran a small business before coming here, has illustrated the problems well, I think. I think what might be infuriating to me, had I been in the gentlewoman's situation, is that you are doing exactly what people would ask of you. Meanwhile, you are also paying for the employees of other businesses, whether they be competitors of yours or fast food restaurants or whoever, that are not doing it.

Indeed, what is happening in the premium that you paid is that up to 30 percent of the insurance premium that the gentlewoman from Utah paid for her employees did not go for her employees, it was cost shifting. It was picking up the tab for all the other uninsured people who went into the hospital and got medical care, usually at four times the cost if they had been able to go into a doctor's office.

Mr. Speaker, I guess what concerns me is that the fast food pizza employ-

ees, the McDonald's employees, all of those, some of the most profitable corporations that we have, who are not covered by their employer, they take pride in what they do. The only problem is that they eventually have to go get medical care, and when they do, somebody else pays the tab. We are not getting off cheaply because McDonald's does not provide insurance for its employees. We may save 8 cents or 9 cents on a happy meal.

I like the happy meal. My children like the happy meal. We are not so happy, though, that the employee behind the counter does not have insurance, and we are not so happy that when we go out of that McDonald's store, and that employee goes into the hospital, then all of us as taxpayers and insurance consumers have to pay that tab.

Mr. Speaker, I would rather pay up front, and I do not think it is going to be very much, and the gentlewoman and I have demonstrated in past presentations that the cost to a business is very, very cheap, two pepperoni in the case of a \$10 pizza. It is very cheap, and yet it provides so much of what is needed. It is good economically and it is also good morally.

Ms. DELAURO. Just one point with regard to that. It really winds up with that business that is doing the right thing, that is, helping to cover their employees, winds up paying twice. They pay twice.

Ms. SHEPHERD. Yes.

Ms. DELAURO. The Michel bill, the Rowland substitute, does nothing to stop that process, where in fact the Gephardt bill ends that process.

Mr. WISE. The Rowland bill does have a measure in it that indicates a recognition that this is the way to go. What it does, though, is it is a hollow statement.

It says that all employers are required to offer insurance, and indeed, offer a choice between a fee for service plan or a managed care plan. However, the employer is not required to pay for it. There are no subsidies to help the employee, so what you have got is this hollow promise out there.

The significant thing about the Gephardt House leadership plan is that it has in place, for businesses under 100 employees whose annual income is below a certain amount, that they can receive a tax credit, as the gentleman from Maryland [Mr. CARDIN] points out, of up to 50 percent. They are paying 40 percent of the premium, and the low-income employees can also get assistance based on their income.

Mr. CARDIN. If the gentlewoman will continue to yield, the Rowland bill makes it worse. Many employers will say "All we have to do is offer." So I may be providing the benefits today as an employer, so I say, "The law only requires me to offer it, and since everybody has the chance to buy insurance,

and since my competitor is not required to buy insurance, why should I pay for it? You do it with your own money."

Let me just give a concrete amount of money we are talking about from Maryland. At the University of Maryland Medical Center, a fine institution in my district, the uncompensated care equals 16 percent of their total revenues.

That means the premiums, the rates that they have to charge for services at that facility are 16 percent higher in order to pay for the people who have no insurance. Those of us who have insurance, the premiums we pay for the rates at that hospital are that much higher to cover those higher rates.

So now you as a publisher, as a small business person, you had to compete with companies that did not provide health benefits. You were not only being asked to pay the cost of your own employees and compete, but you were being asked to pay for your competitor's employees and then compete against your competitor.

That is what the current system does, and the Rowland bill will not change that. It may make it worse. The Michel bill won't change that. It may make it worse.

□ 2010

Small business has a direct interest in health care reform and only the Gephardt bill addresses their problems.

Ms. DELAURO. I would like to also talk about what happens with another group of individuals in this Nation who are very, very concerned about health care and health care coverage and what it means to them, and that is our senior citizens. The Gephardt bill includes a new Medicare prescription drug benefit, the new beginnings of a long-term home health care program. The Michel and Rowland Republican bills both raid Medicare to pay other bills, or to bring other groups in. It does not turn anything back over to providing prescription drug benefits for seniors or any other services to seniors. So there is no benefits at all in terms of the older American population. In fact, the Gephardt bill is the only bill that, in fact, just maintains the integrity of the Medicare system.

I am sure you have the same experience that I do with seniors and prescription drugs.

Mr. CARDIN. If the gentlewoman would yield on that point, because the prescription drug issue is a cost-saving issue. There are many seniors today that their medicine that they take keeps them out of hospitals, keeps them out of more intense health care. Sometimes they do not have the money to buy those prescriptions and they do not take their drugs and they end up needing more expensive health care needs. So the fact that we are providing prescription drug coverage under

the Gephardt bill to our seniors is not only of interest to our seniors, it is in the interest of having a more cost-effective health care system in this country. It is a very important expansion of the benefit package.

I know of many seniors in my district that spend \$200, \$300, \$400, \$500 a month on prescription drugs and have no protection under the current Medicare system. Under the leadership bill, they will be protected.

What does the Rowland bill do? What does the Michel bill do in this area? They do not do anything. They do not provide these benefits. But worse than that and what the gentlewoman pointed out, they take Medicare cuts and take that money and use it to expand the access for low-income people. So they are really taking the money that goes to providers and goes to our program for Medicare and using it for other purposes. At least the earlier drafts of the people who were behind the Rowland bill had enough courage to put more revenue in the package in order to use it for the purpose of expanding access, but now I am afraid that the option they have brought forward takes money from under Medicare and uses it to try to expand access and it should be used to expand the prescription drugs.

Mr. WISE. If the gentlewoman would yield, the gentleman from Maryland brings up a point, and it gets even more incongruous from that, because what the Rowland, or bipartisan bill does, it not only cuts Medicare without giving any increase in benefits from those cuts, but furthermore it cuts Medicaid and then says it is going to expand coverage for low-income persons after it just cut the program that covers low-income persons.

The Gephardt bill does not get into those kind of cuts with Medicaid and it does cut for Medicare but the savings from administrative efficiencies go to long-term care and prescription drugs. Senior citizens on the average pay about 65 percent of their prescription drug costs out of pocket, but there is another aspect to this long-term care. Any senior citizen or family who has come to grips with this knows that the average family of just a couple of years ago, the statistic was the average family putting somebody into a nursing home will be bankrupted in 13 weeks, at an average of \$3,000 per month. This was the beginning of significant expansion of long-term care dedicated to home, dedicated to keeping people in their homes where they can function with care providers and others on a cheaper basis and, incidentally, a more therapeutic one. So that is what is covered in the House leadership plan.

The bipartisan bill, nothing. The Michel bill, nothing. And so seniors see Medicare cut under the bipartisan bill and the Michel bill. They see Medicaid which does affect some low-income sen-

iors, they do not get anything for it, and they lose the benefits that are put into the Gephardt/House leadership package of long-term care and outpatient prescription drugs.

Mrs. UNSOELD. More than any other issue, I believe that the fear of not being able to pay for the prescription drugs haunts many of the seniors. Our colleague, the gentleman from Oregon [Mr. WYDEN] and I had a hearing on the prescription drug cost and particularly for seniors. The tragic stories of seniors who would pay for their prescription drugs as long as they could and then when they had to pay the rent or they had to replace or do some repair, some other need, they would cancel renewing their prescription drug. Pharmacists said they could predict who of their customers was going to end up in the emergency room, in the hospital because they had to forego the drugs that were going to keep them healthy, functioning and maybe even alive.

Ms. DELAURO. I would echo what the gentlewoman said. My experience is what seniors do is one of three things when they go to the pharmacy with their prescription. They ask for the cost first. If they deem it too much, they do not get it filled at all or they may get half filled. The third piece is that they get it filled and then because so many are on fixed incomes, that what they do is maybe scale back on what they are eating in the course of the week. So in all three instances, we watch a senior population, older American population, probably the most vulnerable population, seeing their health deteriorate further because of the cost of prescription drugs.

What is most incredible is that in terms of this Medicare effort, the Michel plan cuts the Medicare reimbursements to hospitals and doctors, but without relieving them of the burden of the uncompensated care because of the lack of universality, of including everyone, which just continues to compound problems.

Mr. CARDIN. If the gentlewoman would yield, it may be worse than that, because they also cut Medicaid. As the gentleman from West Virginia was indicating, they are cutting Medicaid. They are cutting the program to the poor. Under the Gephardt bill, we reimburse hospitals and doctors the same rates on the poor people as we do for everyone else. We bring that rate up so that hospitals and doctors are not discriminated against who are taking care of poor people. But under the Rowland bill, under the Republican bill, what they are doing is they are cutting the Medicaid program, reducing it, and it does not pay the right fees now, it is paying too little right now, they expect with less money they are going to be able to cover more people.

The original drafts of the managed competition and the people that were trying to work in a bipartisan fashion

had new revenues in here. They had caps on how much you could deduct and they had tobacco taxes, they had money in the bill in order to try to deal with some of these problems. But it looks like they really have taken the lowest common denominator and now they are going to cause more problems for hospitals, for doctors, for our elderly, and for our poor.

Ms. SHEPHERD. If the gentleman would yield, I would like to point out that when we talk about Medicaid, we are talking about seniors, that is true. But we are most importantly, I think, talking about children. We are talking not about small adults, we are talking about children; children who need immunizations, children who need to be able to go to the doctor when they have an earache; children who may have childhood diseases that if they are not treated will become adult disabilities. We are talking about the seed corn in America. We are talking about the future work force of America. We are talking about the people that we most must keep healthy and strong and raise up to replace us. I think that the lack of health care to children is absolutely one of the greatest tragedies of all of this.

The Carnegie Foundation recently released a study that said that America was dead last among all industrial nations in the quality of life lived by its children. This has got to be because of our health care.

They have higher incidences of childhood disease, they have fewer immunizations. Obviously those two are very closely connected. They are far less likely to have preventative care of all kinds. They are far less likely to have check-ups when they need them. This is something that I think it is our absolute moral obligation to address.

□ 2020

Mr. KREIDLER. If the gentlewoman would yield, I would certainly like to point out in connection with it argument she has put forward here when we deal with children, I was a clinical optometrist before I was elected to Congress in 1992. As an optometrist I dealt with patients on a one-on-one basis. I dealt with mothers on welfare, and not infrequently, if not always invariably they would point out to me the reason they could not get off welfare is they needed to keep their health insurance, they needed to stay on the Medicaid program, so no matter what they did from the standpoint of finding jobs they never could find the jobs that would pay the kind of a salary that they could purchase their own health insurance. That is presuming it was even available to them, much less find a job that would cover it as a part of their work.

So, as a consequence, you saw a situation where it precipitated them staying on welfare. If we care about welfare



reform, if we really care about what happens to children in welfare families, then you have to have universal coverage, which brings us back to the point that was being made earlier quite eloquently. Those who argue that what we need to do is just fix what is broken, meaning just a little bit of insurance reform, is so shortsighted. It leaves major gaps. It will never achieve universal coverage. It means that we take care of the wealthy, making sure we do not step on their rights to make sure that they always get health insurance. We may throw some bones to the poor. But the middle class is left out in the cold. Increasingly they find it difficult to continue to purchase health care, that they are being priced out of it, that they do not have the resources to purchase any longer. Their salary increases are being eaten up trying to maintain their health care benefits, and if they lose their job they find it that much more difficult to be able to keep their insurance, if they can afford it for the 18 months that they are able to continue it right now, much less have any other benefit.

Mr. WISE. If the gentlewoman will yield on the point the gentleman from Washington makes, not only are the middle class left out in the cold, they get burned. They get burned because in the recent Lewin-VHI study that was done for the Catholic Health Association, we analyzed incremental plans or reforms, meaning simply doing an insurance reform without universal coverage. What they concluded was for persons between \$10,000 and \$20,000 a year income they would pay annually \$201 more, for persons between \$30,000 and \$40,000 a year they would pay \$344 more, and from \$40,000 to \$50,000, \$137 a year more.

The middle class gets burned if you just do insurance reform. You are going to tell them that it is insurance reform, this one is for you, and it is really for you, it puts it right to you, and that is why it is so important that we have to frame this debate.

I am glad that these proposals are now in writing, the Michel proposal, the bipartisan proposal, the Gephardt proposal. They are out there, and now the American public can analyze them and see where they come down. But I do not think the middle class are going to be very happy knowing they get insurance reform, and when they get that, they get reformed right out of their wallets.

Ms. DELAURO. The chart over here to my right displays precisely what my colleague was talking about and how that working middle-class family wind up paying increased costs without the advent of universal coverage, which is something that I would urge people to take a look at these various plans and understand what they are about.

There is a lot of rhetoric, granted, and these are studies that are inde-

pendent studies of these plans which are making the determination of what happens when we do not have every person in this Nation covered by insurance.

There is another issue that I would like to raise. There is a contrast between what the Gephardt proposal talks about versus the minority leader's plan or the Republican substitute, the Rowland Republican substitute, and that is the issue of preexisting condition, which is prohibited in the Gephardt plan where insurance companies cannot say to you that because you have had the good fortune to survive a major illness, or because maybe your child has asthma that therefore you can no longer get insurance. That in fact is prohibited in the Gephardt bill, and it is not clear what the situation is in the other bills. That is of prime importance to the American people.

Mr. CARDIN. If the gentlewoman will yield, it is my understanding in the Rowland substitute there is a 6-month waiting period. I thought this was one area that we had agreement on. I mean, we have heard from all sides, both parties and all sides of the political spectrum that we were going to do insurance reform and eliminate the discrimination against people who have preexisting conditions. And it looks like they did not even put that in their bill.

Ms. DELAURO. Exactly. If you are going to talk only about insurance reform, then for heaven's sake make sure we do not continue to put people in jeopardy.

I met a young woman at one of my office hours, a most incredible story. She has multiple sclerosis and she is now covered. Her neurologist said to her that she ought to be taking as quickly as possible the new drug, Betaseron. She said to me, she was asking please support health care reform. She said I will not talk to my employer, nor will I talk to my insurance company about this because I am frightened to death that it will be over, that they will not provide any kind of service for me, and that I will not be able to get this.

It is most incredible. This is a woman with a deteriorating disease, and every day that goes by makes it more difficult for her to live her life. And she is frightened to death to bring this to the attention of anyone who might be able to help her. This is the wrong system.

Our colleagues have put together programs that say that we are not even going to go the full measure on preexisting condition in what they characterize as a limited reform in any situation. It really needs to be looked at by the American public, and you wonder what these folks are trying to accomplish here.

Mr. CARDIN. We knew it was going to be a limited bill, but I thought at least we were going to see that provi-

sion in the bill. And it looks like they have sort of opted out on the side of the insurance and decided to give a way out so insurance companies do not have to pay for preexisting conditions.

Ms. DELAURO. In addition to that, there are mechanisms within the Gephardt bill to also say to the insurance companies that while they maybe accept someone with preexisting condition, they cannot charge any price they want for that preexisting condition. What price for heart disease? What price for a cancer survivor? So this is critically important.

As I said earlier, I am a survivor of ovarian cancer. If I were to try to get insurance it could cost me up to \$12,000 to \$14,000 a year. Who can afford to pay that kind of money for insurance?

So these plans fall short on even the limited measures that they are willing to move forward on.

Mrs. UNSOELD. The sponsors and proponents of those plans give lip-service to removing this problem, this burden that hangs over Americans and denies to those who work hard for a living and have a right to guaranteed insurance, denies them that right while they give lip-service to remedying their problem.

You have very well described it.

Ms. DELAURO. I think the choice is clear. I think the halfhearted approaches in fact do not measure up to the Gephardt bill, and if we can, we really need here to summon up the courage to pass the Gephardt bill and not be blindsided, if you will, by these limited bills. If we do that, then my view is that we will have failed in this mission, and my colleague from Maryland was talking about that earlier, we will have failed the American public with a year and a half of debate and discussion.

Mr. CARDIN. I was just trying to take some notes here on Gephardt. We have universal coverage. In Michel or the Rowland substitute we do not get universal coverage. We have been through that. On small business, the Gephardt bill helps business, eliminates discrimination in the current marketplace, provides help on the affordability to small business, whereas the other two bills do not deal with that at all. The Gephardt bill helps our seniors by providing prescription drugs and long term care which is fully paid for in the legislation. The other bills take from the Medicare Program and give our seniors nothing in return. The Gephardt bill has full insurance reform. We can eliminate the preexisting conditions, we live up to a commitment I think we have given to the American people on health care reform. The other bills do not do that.

We have not talked cost containment, but we have effective cost containment in the Gephardt bill. The other bills do not do anything to bring down the overall growth rate of health care costs.

□ 2030

It seems to me that we do not have any choice. There is only one bill that is going to provide meaningful health care reform that we are going to have a chance to vote on.

Mr. WISE. There is another choice, and the choice is to do nothing. That is what some are urging us to do, delay, stretch it out, have another study, have a good time, do not come back, and the reality is doing nothing. Where does that leave each of the categories? You mentioned for the senior citizen, on Medicare today, that means they are going to have to continue to watch while Medicare gets eroded because of deficit-reduction pressures, and yet nothing is done to enhance the entire system. There certainly will not be any long-term care or prescription drugs for the small business.

The gentlewoman from Utah was eloquently describing the challenges she faced as a business person. I think it is going to mean a lot of small businesses having to opt out of health care because they simply cannot afford it. They cannot afford to continue to pay for their competitors who do not provide it, and they see the rates continuing to rise to them.

The middle-class person, they are the ones getting squeezed all the way through.

Mr. CARDIN. I will respond to the gentleman from West Virginia. As the gentleman from Washington pointed out, if we do nothing, how do you get to welfare reform? How are you going to reform a welfare system if we do not take care of one of the major problems that someone on welfare has today of taking a job and losing their health care benefits?

Mr. WISE. Secretary Shalala estimates that 1 million people come off the welfare rolls over the next few years if you pass comprehensive health care for the reason the gentleman says, because now people do not lose their medical card, low-income medical card, by going to work. We penalize a lot of people by not acting. You do not help anybody. You penalize them.

Mr. KREIDLER. I would like to point out that listening to the arguments that are coming forward right now are really disappointing from the standpoint of what the gentleman from Maryland pointed out. There are those who are arguing right now to do nothing, to delay, to postpone, take another year.

The longer we take, the worse the problem gets, more people that are denied access to health care, the more difficult it becomes to make a correction in the system. What are we talking about for change?

You know, those that will talk about government takeover of health care, it is so ridiculous that it is patently almost humorous in its own way, because we are talking about private insurance,

private insurance. All you are doing is trying to establish some game rules so that there is some kind of understanding so that some people over here do not kind of game the system and others over here have to pick up the tab.

It is kind of like the airline industry in a way. You can sit in a seat on an airplane and maybe you have gotten the rock-bottom price and so forth, and the next person over is paying the maximum price. It is much like that today in the kind of cost-shifting that takes place in our health care system.

If we want to get a handle on our health care so we bring about some rules so we eliminate the cost-shifting, we get rid of all the bureaucratic overhead that is built into it, administrative overhead, the overcapitalization that has taken place in high-specialty medical equipment, the overspecialization that has taken place in medical specialties; if we want to get back to where people really get the health care they need, then it means setting up some rules, but keeping it private. Keep Government out of it; minimize Government's impact, and it will not happen overnight.

We are talking about a system phased in over a number of years.

Mrs. UNSOELD. Not only are we talking about private insurance, but we are talking about giving people the choice of what doctor they go to, what hospital they go to, not their employer making that decision, not the Government making that decision, not politicians making that decisions, but the individual selecting their health care, their doctor.

Mr. KREIDLER. How frequently now, if most workers out there find that their choices with their employer have been continually narrowing, there have been fewer and fewer choices, that they have had less quality options, they have been more or less dictated to what they are going to receive. We are giving them some real opportunities.

Ms. DELAURO. If I might summarize. Our time is coming to a close.

I think what we have all talked about here is the effect of the substitutes and what they offer, and on all scores the Rowland Republican substitute, the minority leader, the Michel substitute shortchange, if you will, middle-income families, older Americans, small businesses. They do not get near to controlling costs, and, in fact, leave the insurance companies in charge and do not meet the first test of any health care reform, and that is to make sure that every single American is covered under private guaranteed health insurance that can never be taken away, and that is affordable.

The only bill, the only proposal that addresses all of those problems is the Gephardt bill.

I know I have said to many groups, my colleagues have said to many groups that they are meeting back

home with, that the most important piece of legislation that we are going to work on in this body is passing health care reform. If we do not pass the Gephardt bill, we are not going to be able to face those mothers and fathers that I talked about earlier on who are frightened to death that they are not going to be able to afford health insurance for themselves or their kids or that they are going to be trapped in their jobs without having the opportunity to have health care benefits.

We cannot go home from this Congress and not pass the Gephardt proposal and pass guaranteed health insurance for everyone in this Nation.

I want to say "Thank you" to my colleagues for joining with me in this special order tonight. I am sure we will find ourselves on this floor again several nights to come in the next several weeks.

#### HEALTH CARE REFORM PLANS MUST BE THOROUGHLY UNDER- STOOD

The SPEAKER pro tempore (Mr. LEHMAN). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Michigan [Mr. KNOLLENBERG] is recognized for 60 minutes.

Mr. KNOLLENBERG. Mr. Speaker, this evening we are going to continue a matter that was brought up a couple of days ago in a special order regarding the process regarding what appears to be, and I just heard some comments from the other side as to the urgency that seems to prevail over there as to the fact that we have to do something now; we cannot wait; we cannot wait a week or 2 weeks or a month. We have got to do it now.

Mr. Speaker, I would tell you that informed consent is something that I believe is very dear to the American people. It is something that everyone who makes a decision, whether it is an individual decision, and it is certainly an individual decision, they make it after doing some study, assessment, analysis. No one buys a home, for example, unless they spend some time checking things out, looking things over, and coming to some conclusions as to what they can afford, what is best for them, and what meets their purposes.

Individuals make those decisions. Localities do. Cities, towns, whenever any issue comes before a city, wherever it might be across the country, they do not jump into it. If it is a matter of a bond issue or a rezoning, that is something that goes before the people, and the people are invited to take a look at the situation and make some judgments and, in effect, offer their opinions so the constituency is served. They get their day, so to speak, and everybody comes out with a reasoned decision, or at least it is a decision that



is based upon some information that is provided from a number of sides.

The Federal Government should be no different. It should be no different than what individuals go through in the reasoning process or what localities do.

Frankly, this afternoon we saw an example perhaps that might fit. I do not want to talk about the crime bill. I do not want to talk about the rule except to say a rule, a crime rule, failed today, and it failed, I believe, in large part because a number of Members of Congress, and I am talking about both sides of the aisle, it was both Democrats and Republicans, felt there was too much they did not know about this bill, and for example, when a couple of things started trickling out like \$10 million for a college down in Texas, that really does not fit into the purview of the crime bill. That becomes something else. That question was raised. There were many others.

So I believe that we have to spend some time looking over what it is that we are making a decision on that affects one-seventh of our economy and affects every man, woman, and child in this country.

So I do not believe that we should hurry up just for the sake of hurrying up. I believe we can do a better job if we stop, look, listen, assess, analyze, and come up with the best idea.

I am glad to hear from the other side of the aisle that they recognize now there are some bills other than the Gephardt bill in the House and the Mitchell bill in the Senate. There is a bipartisan effort, and very honestly, it is truly bipartisan. It is one that embraces some concepts the American people have been telling us they want.

As we look at poll results from around the country, we find that they do not want any kind of slam-dunk process. They want to be very careful about how we change this system. Reforms, yes, but not to completely turn it upside down and indicate to the American people that they do not care about what their thoughts are.

I think we have a job here to be reflective of what the people in our own constituencies want. The overwhelming polling results tell us they want to go slow, "Let us fix it right," and in that regard this evening, we are going to involve a number of people who have positions, who support certain bills, who have views about how this should be done.

I want to turn to these people one by one. But first of all, I would like to have us welcome the gentleman from Arkansas [Mr. HUTCHINSON] who will talk to us about the process, reform, or anything that meets your approval.

Mr. HUTCHINSON. I thank the gentleman for yielding. I thank the gentleman for organizing this special order this evening on this very, very important subject.

As we enter into the debate on a social issue that will impact the lives of every American, every man, woman, and child in this country, what could be more important than taking time to discuss the pros and cons?

I was delighted, as I am sure my colleagues were, today to see that the bipartisan negotiations that have been going on for weeks now, many, many hours in length, were rewarded, were fruitful in coming out and announcing today a bipartisan health care proposal.

So we really have a debate now. We have a Clinton-Gephardt; we have a Clinton-Mitchell bill; and we have a health care reform bill with bipartisan support that deals with the health care crisis in this country from the standpoint of private sector reforms to expand coverage to more Americans than ever before and to begin to control the spiraling costs in health care.

□ 2040

I think there are a number of things out there in the public sector right now to assist us as we look at this health care debate.

One of the books recently published, written by Dr. Jane Orient. She is an internist in Tucson, Arizona, and she heads the Association of American Physicians and Surgeons, with over 4,000 members nationwide. The title of her book is, a very timely book indeed, "Your Doctor Is Not In." I think she provides us some important insights. Let me share a few of them.

She says, first of all:

The proposed remedies for the health care crisis are snake oil, and you shouldn't swallow them. Further, the private doctor is an endangered species. In the end, we will have a herd—a nice, placid, socialized, tamed, cud-chewing herd. Readers should care about the plight of doctors for one and only one reason: Some day they might need one.

You may think you know what the Hippocratic Oath says, but you probably don't, and you should learn about it before they do away with it entirely.

The Hippocratic Oath is built on physician autonomy. It reads, "I will prescribe regimen for the good of my patients according to my ability and my judgment."

Further, do you want your doctor to place society or the Department of Health and Human Services ahead of his being independent?

She says, further:

Managed care is about preventing medical care in order to make money for third-party payers or to save money for the government. Behind the slick advertising, managed care is little more than prepayment for rationed health care. Rationed care is one of the most disastrous things that can ever happen to the health care practice in this country.

Then I conclude with her insight:

There is no utopia. I will only maintain that a free market in medicine is the best of the available alternatives and the one that does the least harm.

That is what doctors do, the least harm. That is what the Hippocratic

Oath says. The way we do the least harm, although it is not perfect, is to maintain a free market in the health care system.

Another recent book, a novel published entitled "Fatal Cure," by Robin Cook, a best-selling novelist.

He as a physician. As a doctor, imagines what will happen to the health care service industry in this country should we resort, should we go in these coming weeks, to Government-run health care system. I only share with the listeners this evening and with my colleagues a couple of paragraphs of the dialog that he imagines might take place some day.

He says, "Everyone knows that doctor/patient relationships are the cornerstone of medical care." One of the characters says, "Maybe that's passe. The current reality is determined by a new army of medical bureaucrats being created by Government intervention. All of a sudden, economics and politics have reached the ascendancy in the medical arena. I am afraid the major concern is the bottom line on the balance sheet, not patient care."

"The problem is Washington. Every time the Government gets seriously involved in medical care, they seem to screw things up. They try to please everybody and end up pleasing no one." Dr. Cook is absolutely right. That would be the result of Government-run health care.

In the Washington Post, not exactly an advocate of free-enterprise health care, certainly one that has espoused the Government-run health care in its editorial policies. Dana Priest, in a front-page story entitled "Health Bill May Have No Substitute for Bureaucracy," he writes just recently,

President Clinton and members of Congress last week hailed the Senate Democratic leadership's health bill as a vast improvement over the bureaucracy-laden 1,462-page plan produced by the White House.

But the 1,410-page bill proposed by Senate Majority Leader GEORGE J. MITCHELL (D-Maine) also would create dozens of new federal and state agencies. They would have untested authority to centralize, reorganize, monitor and enforce the way medical care is bought, sold and, to a lesser extent, practiced in this country.

And indeed the Post is right. They would have untested authority to centralize, reorganize, monitor and enforce. I understand that the Clinton-Mitchell bill in the Senate has over 20 new Federal bureaucracies that will be created.

Now, before I yield back to the gentleman, I want to share a letter—I am from the State of Arkansas, I have served 8 years in the Arkansas Legislature with now-President Clinton, our President was then my Governor, our chief executive in the State of Arkansas.

Many times during those 12 years that he was our Governor, the issue of abortion, and more specifically the

issue of public funding of abortion, arose in various debates. In Arkansas, as it has been throughout our country, a major issue, and it continues to be a major bone of contention and a major issue in the health care debate. In every major Government-run health care plan that has been presented to this Congress, the provision for reproductive services or abortion services, if you will, has been included. That means that every American under a Government-run health care system would be subsidizing the practice of abortion regardless of what their moral conscience or religious convictions would be.

September 26, 1986, Governor Clinton, then Governor, wrote in a letter to the Arkansas right-to-life people a letter in which he said, in part,

Because many of the questions do concern the issue of abortion, I would like for your members to be informed of my position on the state's responsibility in that area. I am opposed to abortion and to government funding of abortions. We should not spend state funds on abortions because so many people believe abortion is wrong.

That was Governor Clinton who is now President of the United States saying he not only opposed abortion but he opposed public funding of abortion and believed it was wrong to require people who believe it is wrong to pay for abortions. And yet today he has included that, insisted on including that in every Government-run health care program that he has advocated and supported.

Then I would conclude—and I am indebted to our colleague from the other side of the aisle, the gentleman from Minnesota, TIM PENNY, Democrat, for his "Dear Colleague" letter in which he points out something that I think is vital in this debate in the coming weeks. He points out that major votes of the 20th century on large social policy changes have always been accorded overwhelming bipartisan support. He enumerates some of those: The Social Security Act of 1935, 96 percent of the Democrats supported that, 81 percent of the Republicans supported that, and it passed by a vote of 372 to 33. The development of the interstate highway system, Federal-Aid Highway Act of 1956, major policy change in our country, 93 percent of the Democrats supported it, 98 percent of the Republicans supported it, passed by a vote of 388 to 19.

Now, the Civil Rights Act of 1964, what more significant social change has this Congress enacted than the Civil Rights Act of 1964? Sixty-one percent of the Democrats supported the civil rights bill, 80 percent of the Republicans supported the Civil Rights Act, and it passed by a vote of 290 to 130.

I could go on, the Clean Air Act, the Medicare Act, the Water Pollution Act, all of these passed by overwhelming bipartisan majorities.

Here we are told that we must in the coming weeks, have a health care reform bill that is going to affect the lives of every American, the biggest social change in 50 years, and we are going to do it with the barest of majorities. It is going to be forced through in spite of overwhelming opposition not only by the Republican Party but, the polls indicate, by the American people.

When the buscapade came to town, I saw the big banners on the side saying, "Pass It Now." And I said to myself, "Pass what now?" At that point we did not even have a bill. No one had read a bill.

Yet they say we have got to hurry it through, we have got to do it now. Yet the polls say 65 percent of the American people say they want to wait, they want to read it, want to study it, want to react to it, and that is the way major social change ought to take place.

□ 2050

It ought to take place with the American people aware of it, the American people supportive of it and with a large bipartisan majority supporting it in Congress. We do not have that, and that is why we ought to wait on health care reform.

I thank the gentleman.

Mr. KNOLLENBERG. Mr. Speaker, I thank the gentleman from Arkansas [Mr. HUTCHINSON] for his comments and his reference to the Government intrusion, the bureaucracy that appears to be a part of both the Gephardt bill; not just appears, is, and also the Mitchell bill.

As my colleagues know, we did finally get, not the CBO figures in total, but we did get a preliminary analysis on the Mitchell bill, the one that is still forthcoming on the Gephardt bill, and there is something interesting in that analysis, and it is purely that. This is not the final product.

But I want to just quote from a paragraph that has to do with the budgetary treatment of the mandate, and it says it is a mandate, and they are talking about this whole process of requiring people to buy insurance, that they must buy insurance. A mandate requiring that individuals purchase health insurance would be an unprecedented form of Federal action. The Government has never in history required individuals to purchase any goods or service as a condition of lawful residence in this country.

So, as a part of that bill, in order to live in this country, just to live here, before you do anything else, before you make a wage, or buy a car, or buy a house, or whatever, before you do anything, you must buy something, and that something is insurance, and that is a part of the Gephardt bill. It is a part of the Mitchell bill. At least in this regard we are talking specifically now about the Mitchell bill.

I want to go on to welcome the gentleman from the western part of Michigan who sits on the Committee on Public Works and Transportation and the Committee on Education and Labor, and that is the gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. Mr. Speaker, I thank my colleague, the gentleman from Michigan [Mr. KNOLLENBERG] for yielding. I would also like to clarify the comments of my colleague from Arkansas.

I am sure that what my colleague meant, that we do not want to wait on health care and postpone it. We want to go through a deliberative process that can make this House proud of the work that we are doing and make the American people confident in the result that we are going to achieve. And we want to do it in a bipartisan way.

Let me outline for my colleague here the process that we went through on the Clinton bill in the Committee on Education and Labor:

We had 29 hearings. We had 8 weeks of markup. We had 4 weeks of markup in subcommittee. This is where Members can propose amendments. We discussed them. We debated them. And then we voted on them. We then had another 4 weeks of markup in full committee. In full committee we debated 99 amendments on the Clinton bill. Forty-four Democratic amendments were accepted, and 11 Republican amendments were accepted. So, we spent 8 weeks.

Now what is the process that we are looking forward to on the next portion of the health care debate? What we are looking at is last night, August 10, we received nine bills. We received a Clinton-Gephardt bill, we received a Mitchell bill, we received a bipartisan bill, we received a single payer bill and five other bills. In total nine bills were submitted.

I have to give the Printing Office credit in that they were able to get them printed overnight so over the next few days we can read them, but now we have been told that the process that was outlined at the beginning of the week says, well, we know the work on the Committee on Education and Labor, and we only dealt with a portion of the jurisdiction of the bill. We know it took you 8 weeks. But we are going to give the full House 8 or 9 days to go through the process.

I do not think that is a good way to legislate. Nine new bills and 8 days to finish the work. No time to go back to our constituents.

Some of our colleagues here earlier tonight are saying now that we have the bills we can learn them, we can read them, and understand them, and talk to our constituents about them. The question is: When are we going to go through that process? There is a better process.

Today I went to the Committee on Rules. I asked them for an open rule,



enough time to debate the issues, to propose amendments on all of the bills, asked them not to have a king-of-the-hill rule where the last bill that wins, even something that may only have 218 votes, is the law of the land, but the version that has the most votes becomes the law of the land. I do not know whether that will be the process that we go through or not.

But let me go through the Clinton-Gephardt bill to take a look at why it is important for us to have this dialog in this debate—

Mr. HUTCHINSON. If the gentleman would yield before you go into your analysis, let me pick up because you were clarifying my comments regarding whether we should wait or whether we should pass it now, and let me just expand that because I began my remarks by saying that today I was delighted that there was a bipartisan incremental approach, free market approach, to health care reform that was presently with the support of Republicans and Democrats. I think we need to do health care reform, but the polls indicate that the American people, if the choice is between radical, Government-run health care as presented in the Clinton-Gephardt, the Clinton-Mitchell and all the variety of bills thereof, if the choice is that or doing nothing, they would rather wait and start over in the next Congress.

And so what I support is a deliberative process, I support action, I support reform now, if it is the right kind of reform.

The American people are saying, and I think we all agree, if the reform is the wrong kind of reform, it would be far better to wait than to make radical changes in the health care system without knowing what kind of impact that is going to have on the lives of individual Americans.

Mr. HOEKSTRA. I agree with the gentleman. I think what the American people are afraid of is that we will go after health care, and we are going to do it in 8 days, and everybody knows, or should know, that this Congress is not good enough and is not smart enough to do health care reform or to reform 14 percent of our economy in 8 days. We may be good, although the American people would dispute that sometimes, or maybe frequently. There is no way that any group could restructure 14 percent of the economy that quick.

And the other thing is we, as freshman Republicans, we laid out another process. We said, "Let's go through the bills this week. Let's allow the sponsors a day on the floor to go through their bill section by section to explain how it works. Let us go back home, not for vacation. Let us go back to our constituents to talk to the elderly, to talk to the uninsured, to talk to the small business person, to talk to the doctors, talk to the medical community, to get their input on these new versions."

We do not have that opportunity.

We could go through that deliberative process, 8 or 9 days of debate on the floor, conference committee with the Senate, and still pass out a bill by October 7 rather than trying to cram one through the process by August 19.

Here is why it is important. Paging through the Gephardt bill, and, just like the Democrats are going to page through the Michel bill and find sections that they do not understand, there is a mandate. Employers are required to contribute to health insurance. What is that going to mean to employment in my district? What is that going to mean to the average American? There are new taxes.

This is small print. That is why the Clinton-Gephardt version is only 250 pages. But I am going to have to bend over to read it because it is small print.

Here in the text, 25 percent of the wages paid during such months by such employer to such employee. What does that mean? How is that going to affect employment?

There is more taxes, small business subsidies. We hear so much, we are going to do this for small business. The subsidies phase out zero for calendar year 2005. What is that going to do to the engine of growth in this country where a lot of innovation has taken place? Small business is in trouble.

Here we have standards for State managed competition programs. It is gobbledegook in here. I know what this language meant in the Committee on Education and Labor. It meant that our national health care program was going to be a continental United States program because the language in the Committee on Education and Labor, and I do not know if it is the same language exactly, but this type language in the Committee on Education and Labor exempted Hawaii.

Here is one that I love. As I go back and I talk to the leading employers in my district, the people that have really aggressively contained costs, and, TIM, you have had the opportunity to talk to some of those people at those companies, they have effectively gotten health care under control, and what do they say? They talk about wellness, and, when they are talking about wellness, they tell the Secretary of Labor to put together a study on wellness and report back to the Congress in 2 years whether wellness programs are the right way to go.

So, in 8 weeks, or excuse me, in 8 days, we are going to reform health care, 14 percent of the economy, and it is going to take us 2 years to study whether wellness programs have any validity. There are new enforcement provisions about how we are going to pay for the bill or what types of programs we can put in place.

□ 2300

There are exemptions. Let me see if I cannot find the exemptions section.

Who is exempted from this bill? What people do not have to participate?

Well, we know that the Texas Frail and Elderly Demonstration Project does not have to participate. We know the HMO in Dayton does not have to participate. They may have a great program. They got an exemption. I do not know how they got an exemption. I wish I had an opportunity to exempt some of my people who thought that they had a good program. The Tennessee Primary Care Network has a Medicaid waiver. There is another one here for the Health Services Insurance Corporation of Milwaukee, Wisconsin. They have an exemption. The extension of the Minnesota Prepaid Medicaid Demonstration Project.

Mr. GEPHARDT or the President did not call me and ask if I would like any people considered for exemptions. Those people are exempt.

There is new amendments to criminal law, health care fraud, false representations, bribery and graft in connection with health care. Should we not spend more than eight days talking about those kinds of things?

Health benefits may not be provided under a cafeteria plan. Another innovation in the free market, in the private sector, and what do we say? We may not have cafeteria plans. An employee cannot sit down with his spouse and say here are our needs as a family, or here are my needs as an individual for health care, so I am going to take dental, I am going to take some extra life insurance, I am going to take this and I am going to take that, and that is going to be my health care plan. The person next to him working on the other machine is saying my needs are different. Boy, am I glad that my employer has provided me with the choice. I am going to take eye coverage, and, rather than get this rich package, I think I will take \$30 per week and a Medicaid cap.

Cannot do it. That is the way I read it right now.

Here is a really interesting one. Davis-Bacon, the place where we say prevailing wages, primarily on construction projects, Davis-Bacon is now part of a health reform bill.

How in the world you are on public works with me, maybe you can tell me how Davis-Bacon would get into this type of a bill. Any ideas?

Mr. HUTCHINSON. I wish I could give an answer for that. I cannot imagine how Davis-Bacon gets in some other bills. But how it would be included in a health care reform act is beyond me, and I think beyond the imagines of most Americans.

Mr. HOEKSTRA. Does that mean the Gephardt bill is bad? I think we are concerned because it demonstrates government taking over health care. And we have a lot more faith in the free market system.

Even to knowledgeably talk about mandates, taxes, state exemptions,

wellness enforcement, criminal law, no cafeteria plans, Davis-Bacon, new fraud provisions, it takes a whole lot more than eight days to understand this, to get input from our constituents. That is one bill. There is eight other ones.

Mr. HUTCHINSON. A thought struck me as you were presenting your analysis, a preliminary analysis, indeed, of the Gephardt bill. As you thumbed through it, I thought what an advantage you have to millions and millions of Americans who do not have a copy of that bill to thumb through and look at.

For months I would go into book stores around the country, and the airport book stores as we fly through to our districts, and see the Health Security Act, the Clinton health care bill on the shelves, with analyses, explanations. But the Clinton Health Security Act has now been long dead. With eight days, we have been presented a new bill that is not on the book stores of America, that has not been analyzed that we have the advantage of analyzing for eight days, as little as time as that is. But the American people have not had, why not give them the time to study this bill? The Republican Conference is having task forces, study groups, to analyze, if need be 24 hours a day, that bill and other bills that come before us in the next eight days. What an impossible task to do justice to the American people to have eight days to study and analyze a great social change in our country.

I thank the gentleman for yielding.

Mr. HOEKSTRA. The biggest part we are going to miss, I agree. I do not think we will be able to fully understand this in eight days, but, more importantly, the American people will not have the opportunity to review it, to provide us input. My guess is when we actually start debating and discussing this bill on the floor of the House, it will be limited time, we will not have the same opportunity that we have in committee to make 99 amendments. There will probably be just a vote up or down on eight substitutes, and the last one will be the Clinton-Gephardt bill. If it gets 218 votes, it passes, even though something like the Rowland-Bilirakis bill, the bipartisan bill—they keep calling it the Rowland bill, it is a bipartisan effort, 5 Democrats, 5 Republicans put together a bill—no new taxes, significant reform, significant progress, that may end up being the solution. It will be buried somewhere in the process.

I will yield back to the gentleman from Michigan and look forward to participating in the dialogue a little later.

Mr. KNOLLENBERG. I thank the gentleman from the western side of Michigan, as opposed to the eastern side where I am from. I notice he talked at some length about the size of the Gephardt bill. And maybe you pointed out that there was 253 pages of fine print. I would like to suggest to

you it is probably 253 pages, three columns. I do not know if this can be seen by the television camera, but it is smaller than most footnote text type.

Mr. HOEKSTRA. If the gentleman will yield, maybe they can see the difference between how the Clinton-Gephardt is 250 pages, three columns, small print, and the traditional way we write bills, which is much larger text. My guess is that the Clinton-Gephardt bill, when it will be printed in bill form, will be close to 1,500 to 2,000 pages.

Mr. HUTCHINSON. The same thing would be true with the Mitchell bill, I believe. Would you not say?

Mr. HOEKSTRA. Yes.

Mr. HUTCHINSON. Thank you.

Mr. KNOLLENBERG. The interesting part, too, on that subject is the bipartisan bill that you spoke of really is less than—it is about one-fourth the size, and I am going by, again, what was printed in the CONGRESSIONAL RECORD. I might mention that the Mitchell bill, which is another alternative, a substitute that will be offered, we have been told, has been about the same size as the bipartisan bill.

So it seems to me that we have within our midst enough material to keep us going for weeks, if we are going to get through all of this newly laid upon us 253 pages, to soon climb to some 1,400/1,500 pages.

I want to now go to the gentleman from Kentucky who is the newest Member of the freshman class. Before I do though, I want to cite that a lot of the information and a lot of the views that we have are based upon communicating with our own constituents. I know that Mr. HUTCHINSON has done it in Arkansas and Mr. HOEKSTRA has in his part of the State. So have I.

I have had some nine health care forums. Two of those were attended by over 500 people. I can tell you that those individuals that came, came with a mission. They wanted to hear. But they wanted to speak, and speak. And we gave them that opportunity. They told us what they wanted. It was not just in those settings, but particularly in those settings. It was also, from all the communications we have had, all the phone calls, cards and letters, and from my own particular district I know overwhelmingly they do not want government intrusion in their health care system. They like in a great majority of cases what they have. It can be improved, take care of the portability fashion, preexisting conditions, and some other matters, which the bipartisan bill does.

I wanted to go to the gentleman from Kentucky [Mr. LEWIS] to get some sense of his constituency, what he has gleaned from dealing with them in the short time he has been in Congress. So I welcome Mr. LEWIS from the grand State of Kentucky.

Mr. LEWIS. Thank you for yielding your time.

Well, Kentucky is very much like what you are saying. Today we had calls in our district office all day long saying wait, wait, wait on the health care plan. Make sure you do it right. Don't hurry something through. And on August 4, the Newsweek article showed that in an over two to one margin, Americans believe that it would be better for Congress to start over on health care rather than pass something quickly that could be hazardous to their health care.

The American people want us to go slow, and they want us to do it right. And why do they want us to take our time and do something that is going to be beneficial and not hazardous?

So what are the problems with the Mitchell-Gephardt-Clinton plan?

□ 2110

Well, mandates, employer mandates. It is going to cost them anywhere from 600,000 to 3.5 million jobs. Both the Mitchell bill and the Gephardt bill include these mandates, and you cannot have mandates without someone paying the price. And guess who pays the price? It is the middle class.

Higher paid individuals will be able to still survive with these mandates, but the lower paid Americans are protected by the large government health care entitlement that will be created. So that leaves the middle class to take the brunt of these mandates.

Another problem that they are having with the Gephardt-Mitchell plan is the threat of rationing. The Clinton-Mitchell-Gephardt plan can lead to rationing our health care services through those mandated cost controls.

These bills sneak price controls in through the back door of these plans, and they are disguised as measures that will keep the cost of premiums down for Americans but, in effect, requiring the costs to be kept to a certain level, they will lead to rationing health care and benefits for the American people.

The Mitchell bill will impose taxes on health care premiums that exceed rates set by the government. Obviously, health care providers are going to have to cut expenditures to meet these levels. As any business owner knows, cutting spending means cutting back on services and cutting back on services means cutting back on health care for the American people.

Taxes, that is another thing that the American people are not liking about these bills. The Gephardt and Mitchell plan, they raise taxes on every American family and business owner in this country. These plans will initiate up to 20 new taxes on everything from retiree health care benefits to taxing ammunition.

What is something from my district that the people do not want? Of course, I have an agricultural-based district, and tobacco is the number one crop.



Well, these plans include a tax on tobacco. Specifically, a tax on a commodity that is singled out, singled out among all the others, this is the one that they are picking on. And with a huge tax, not a moderate tax, started out with a 75 cent tax with the Clinton bill, but now it is a 45 cent tax with these two bills.

Well, our district cannot afford, our farmers in our district cannot afford taxes on tobacco. Tobacco is already taxed more than their fair share, and they are paying for a lot of programs that the government, I do not know what they would do to make up the money if tobacco is taxed out of existence. I think it would go back again to the middle class to make up the difference.

Increased bureaucracy. The Gephardt and Mitchell plans impose more big government control over the lives of individuals and businesses. In fact, these plans create 20 new bureaucracies and these bureaucracies are charged with determining what health care coverage we can have. They will determine what medical procedures and what will be necessary. This could result in lower coverage and less choice for employers/employees. By mandating what services must be provided, some employers will have no choice but to include the Federal plan.

These new boards will have advisory power over a substantial part of the health care operations and it even goes as far as to regulate the number of specialties we have in schools, the medical schools. Further, the various board members will not be elected. They will be comprised of politically-appointed officials, and their meetings do not have to be open to the public. And these committees are exempt from the sunshine regulations provided under the Federal Advisory Committee Act.

I think that the American people are saying, wait. I think they are saying, we want a plan that is going to work. And this bipartisan plan that has been introduced, I think, is a very good plan that we can look at and say, this might be what we need.

But we need time to study it. We do not need to rush something through. Because when I go back to Kentucky, as the gentleman just said a little while ago, the folks in my district are lining up and they are talking to me about health care. They are lining up, just as the people in your district, and they are saying, why are you not waiting? Why are you not taking your time? Why can you not take time and have a national forum wherever everyone can see what is on the board and we can make educated decisions about what we want?

Personally, I think what is happening here with the Gephardt-Mitchell plan is that it is a political thing. It is something that is trying to be rushed through. It is something that is sup-

posed to make our colleagues across the aisle look better for some reason, if they can get a plan through. But we have got to start thinking about what is good for the American people, not what is politically beneficial, but what is going to be good down the road, years from now, when my children and my grandchildren are going to need health care.

The people of this country do not want their coverage, their opportunities for health care coverage to be ruined. And the most common phrase I hear back in my home district is, do not fix what is not broken. So the people want us to make educated, thorough decisions about health care here in this House, and they want us to do it right. They do not want us to rush through and make some bad mistakes.

Mr. KNOLLENBERG. I thank the gentleman from Kentucky. I think the gentleman is right in terms of the mandates which involve, of course, in the Gephardt bill, the Mitchell bill, new taxes, new mandates and tax caps, meaning that certain premium plans that are in force with various companies could not raise their benefit level above a certain point or it would be taxed. Of course, that one size fits all would be applied against some of the plans that are in existence around the country.

Those people then would have to pay a tax on the excess.

One nice part about the bipartisan effort that is being constructed and architected here in Congress is that it has none of that. It has no taxes. It has no mandates. And it has no tax caps. So the gentleman from Kentucky commented about tobacco.

Well, there are any number of things they can tax. Of course, whatever moves or does not move could ultimately be the source or could be the target of the Federal Government in terms of taxing to raise that money.

I would just cite one thing. These are the preliminary estimates of the Mitchell bill. This is not really official yet, but they are talking about the mandates that are a part of that bill.

I wish I had something from the Gephardt bill, I would be talking about that.

Mr. HOEKSTRA. Would the gentleman clarify exactly how much information we have on any of the nine bills about how much they will raise in new taxes and what the net result will be on the deficit for any of the nine bills?

Mr. KNOLLENBERG. I can tell you one thing at the moment, I have the facts sheet on the Mitchell bill in terms of the mandate.

Mr. HOEKSTRA. But we have nine different bills here in the House. What numbers do we have on any of those nine bills?

Mr. KNOLLENBERG. The gentleman makes a point. I am talking about a bill that I will not even have to deal

with. The reason I am is because we have nothing for the Gephardt bill. We have only facts and not really facts yet, they are just preliminary estimates of what the Mitchell bill's costs will be.

Mr. HOEKSTRA. We will be debating these nine bills and there were colleagues on the floor for an hour before saying how great the Clinton-Gephardt bill was, how bad some of the other bills were. And we do not have any independent verification of what the numbers are yet.

Mr. KNOLLENBERG. Let me give you one example: Mandates—with mandates—talking about the Mitchell bill again. I would love to talk about the Gephardt bill, but I have nothing to talk about.

It states, for example, that 10 years from now in the year 2004, with mandates in place, we are still going to have \$165 billion, \$165 billion in subsidies.

Now, if you take the mandates out, it would be \$194 billion. The point is, even with mandates in place, we are going to run up \$164 billion in deficits.

□ 2120

Now, how do you finance that? You could tax the tobacco of Kentucky, you could tax a lot of things. That is the problem with the Mitchell bill. I wish I could tell you what is totally wrong with the Gephardt bill, but I have to wait for those numbers. This is just preliminary.

Mr. HUTCHINSON. Will the gentleman yield?

Mr. KNOLLENBERG. I am glad to yield to the gentleman from Arkansas.

Mr. HUTCHINSON. It is my understanding that the CBO came out with numbers on the Mitchell bill, but they have not yet produced numbers for this Congress in regard to the Gephardt—the Clinton-Gephardt bill, so the gentleman is exactly right. We do not have numbers on what the Clinton-Gephardt bill will do, how it will impact the deficit, how it will impact the pocketbooks of the American people.

I might add also, in my initial analysis of the Gephardt bill, we have the Medicare Part C, which is established, which has been called the largest entitlement ever created in American social policy. It would bring over 90 million Americans under Government-run health care, direct Government-run health care, in Medicare Part C. That is rather incredible.

In fact, Mr. Speaker, we just started a commission to study—I appreciate the gentleman from Kentucky [Mr. LEWIS], whose first official act on this floor was walking over to this desk and signing a discharge petition for the A to Z, because of his personal concern about the deficit in this Nation, and the national debt.

We have an entitlement commission that is supposed to come back and

make recommendations, because we have entitlements now that are bankrupting the country and exploding in their costs, and yet we are getting ready, if we pass the Gephardt bill, to create the largest entitlement ever, at the very time we are now beginning to acknowledge what the entitlements are doing to our deficit situation.

Mr. HOEKSTRA. Mr. Speaker, I think we have a preliminary report on the entitlement commission that says that by the year 2011, or something, all of the revenues that we collect in taxes will be used to pay for two things, entitlements, and interest on the debt, and that by now, if we create this whole new entitlement program, we are going to either be looking at one of two things, more debt, or higher taxes. I believe that was the preliminary report. I'm not sure.

Mr. HUTCHINSON. PETER, if you will yield back, I think you are exactly right. I just think it is the highest of ironies that at the time we get this preliminary report, and there is general, broad acknowledgment that something has to be done on entitlement spending; that we are preparing now, or it is being proposed, it is being advocated, that we create the largest, the mother of all entitlements. I think that is a high irony.

Mr. HOEKSTRA. And we will spend 8 days talking about it.

Mr. HUTCHINSON. Eight days. I thank the gentleman.

Mr. LEWIS of Kentucky. Will the gentleman yield?

Mr. KNOLLENBERG. I am glad to yield to the gentleman from Kentucky.

Mr. LEWIS of Kentucky. The Congressional Budget Office, have they come up with a figure on the Gephardt bill at all and what it is going to cost?

Mr. KNOLLENBERG. It is my understanding, and I may have to yield to someone with more current knowledge, that they do not have those numbers, that is forthcoming, we have been told. But at this point, and this is Thursday evening, we do not have them. I would yield to anybody who has better information.

Mr. HUTCHINSON. You are exactly right, the numbers are not there. I have been told, Mr. Speaker, by those involved in the process more directly than myself, that it is physically impossible for all of those numbers to be produced for this Congress in the next 8 days, which in itself is a compelling argument for a more deliberative process, for more time to be taken so proper numbers can be presented to this Congress, so we will know exactly what we are voting on.

The CBO, because of the number of bills that have been introduced, and the demands upon them, physically will not be able to give us the kind of accurate data we need to make an intelligent, deliberative decision on health care reform.

Mr. KNOLLENBERG. If I could just interject, it is us, of course, that need information, but we have an obligation to funnel that back to our constituents, too, so they can make some judgments about this and provide us with input.

I just wanted to relate a story that appeared on the AP wire this evening about calls from angry senior citizens who have been clogging the switchboards of AARP, the American Association of Retired Persons, after the group's board of directors—who are an inside-the-beltway kind of group, I guess they suffer from the same malaise as some other people, too—after the group's board of directors stated its support was going to be for the Democratic bills. Most of the callers were incensed that the AARP leadership made that decision without surveying the some 33 million AARP members.

Mr. HOEKSTRA. Will the gentleman yield?

Mr. KNOLLENBERG. Yes, Mr. Speaker.

Mr. HOEKSTRA. It is interesting, regarding the callers, it may be unfair to attack the AARP here in Washington, because there would have been no way possible for AARP to poll its members, because the bill did not exist. The bill did not exist until 9 o'clock last night, so it is unfair of those callers to tell them to poll their members before they endorsed, because the bill did not exist.

In reality what AARP did is they endorsed the bill based on an outline and some broad concepts, without understanding what is in this thing.

Mr. KNOLLENBERG. The gentleman makes a valid point. It just illustrates the problem that all of us seem to have, not just the Members of Congress, but the people inside the beltway.

Of course, it does, I think, frame properly the real difficulty we have here this evening in coming to grips with what is it, where is the bill.

Mr. HUTCHINSON. If the gentleman will yield, in regard to the decision that the AARP made, I think that one of the—again, one of the ironic aspects of their decision to support a Government-run health care system, and in particular, the Clinton-Gephardt, Clinton-Mitchell bill, is that all of these health care plans depend very heavily on Medicare cuts in order to fund their particular health care plans.

That may or may not be a wise decision, but it is something that needs to have a very close scrutiny. The hospitals in my State, the State of Arkansas, many of them, and I mean by that dozens of them, have communicated directly with me with this message: "Please wait," because they are concerned about how drastic, radical Medicare cuts will affect rural hospitals in this country, who are so dependent upon Medicare reimbursement.

So for AARP, which is supposed, of course, to have the interests of our sen-

ior citizens at heart, to endorse a bill that relies so strongly upon drastic Medicare cuts to fund the bill is, again, very ironic, and it needs to be looked at very, very closely, and the hospitals in the State of Arkansas have said "Let us wait. Let us look at it closely. Don't do anything drastic. Don't do anything right away. Look at how this is going to impact rural health care."

I think they have made a wise decision in sending that message to Washington. I thank the gentleman for yielding.

Mr. KNOLLENBERG. As we wind down here in the last couple of moments, if any of the gentlemen want to make some final comments, I yield to the gentleman from Kentucky.

Mr. LEWIS of Kentucky. I have looked at some interesting statistics the other day in an investment paper, that 38 percent of the gross domestic product in this country is made up of Government.

It said that if we go on, we are moving very close to that 50 percent mark where, if we pass a Mitchell or Gephardt bill, we would go over the 50 percent of our gross domestic product. That would take us past where Russia is right now. It would move us close to Sweden. It would take us over the edge. One-seventh of our economy would be made up of the health care plan.

Mr. Speaker, we cannot continue on like this. We cannot continue on with more taxation. The 17 to 20, the taxes of the Mitchell-Gephardt plan, for the average family with local, State and Federal taxes, 40 percent of their income, and when you include the hidden taxes, you are getting close to 50 percent.

We are getting close to the point of putting the straw on that is going to break the camel's back, and I don't think the American people are wanting this. I don't think they are ready to go to a system that is going to be so overburdened by the Government in every area of their lives that they cannot have the freedom to make their own choices.

Mr. KNOLLENBERG. I thank the gentleman.

Mr. HOEKSTRA. Just a couple of final points, if the gentleman will continue to yield. When we are taking a look at the health care debate, we really do want health care reform, but we want a process that is going to enable creativity and innovation.

We already see that some of the plans are doing away with wellness plans, where they are saying "We are going to have to study them for two years." They are doing away with cafeteria-type plans. The States are the hotbed for innovation. They have been innovating on legal reforms, so what does the new Clinton-Gephardt bill do? It preempts all State laws on liability.

What is the end result we want, Mr. Speaker? We want to go through a good



process, one that we have gone through a deliberation, an opportunity to input, an opportunity to hear from our constituents. We want a plan that can get broad bipartisan support.

I would love to pass a health care reform bill that has over 300 votes. We want to build on what we have. Our health care system works for 85 percent of the American people. Let us build on what we have and let us start including the other 15 percent into that 85 percent.

□ 2130

If we go through that kind of process, if those are the principles that we use, we will end up with a result that is good for the American people and that they will be proud of.

Mr. KNOLLENBERG. Mr. Speaker, I thank the gentleman. I think he is right on target in terms of suggesting that we not provide a 100-percent solution for a 15-percent problem. Of course, that falls in line with the statement that we should fix what is wrong with what is right. Let us not throw the baby out with the bath water. We have got a great health care system here. It can be better, we can make it better. There is a bipartisan effort being made right now to do just that.

Mr. Speaker, I would just like to close by saying the only partisan bill that I can recall in this Congress, in the 103d, was the budget bill. It was the only bill where there were Democrats and Republicans massed together. I believe in the health care debate, which is so important, to Republicans, to Democrats, to every man, woman, and child in this country, it should be a bipartisan effort that prevails and I believe we can get there and I believe the concepts that we have talked about this evening are what the American people want.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. UNDERWOOD (at the request of Mr. GEPHARDT), for today through the close of business on Tuesday, August 16, on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KOLBE) to revise and extend their remarks and include extraneous material:)

Mr. HORN, for 5 minutes each day, on August 17, 18, and 19.

Mr. DUNCAN, for 5 minutes, today.

Mr. HOEKSTRA, for 5 minutes, today.

Mr. EHLERS, for 5 minutes, today.

Mrs. BENTLEY, for 5 minutes, today.

(The following Members (at the request of Mr. PENNY) to revise and ex-

tend their remarks and include extraneous material:)

Mr. OWENS, for 5 minutes, today.

Mr. DERRICK, for 5 minutes, today.

Mr. KREIDLER, for 5 minutes, today.

Mr. HUTTO, for 5 minutes, today.

(The following Members (at the request of Mr. WISE) to revise and extend their remarks and include extraneous material:)

Mr. WISE, for 5 minutes, today.

Mr. HANCOCK, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. KOLBE) and to include extraneous matter:)

Mr. HORN in two instances.

Mr. BOEHLERT.

Mr. GUNDERSON.

Mr. COLLINS of Georgia.

Mr. RIDGE in two instances.

Mr. GILMAN.

Mr. RAMSTAD.

Mr. BALLENGER.

(The following Members (at the request of Mr. PENNY) and to include extraneous matter:)

Mr. MILLER of California.

Mr. LANTOS.

Mr. STARK.

Mr. FRANK of Massachusetts.

Mr. MANTON.

Mrs. MALONEY.

Mr. REYNOLDS.

Mr. BROWN of California.

Ms. SHEPHERD.

Mr. KILDEE.

Mr. BARCIA of Michigan.

Mr. BILBRAY.

Mr. HOCHBRUECKNER.

Ms. ESHOO.

Mr. GONZALEZ.

Ms. WOOLSEY.

Mr. RANGEL.

(The following Members (at the request of Mr. KNOLLENBERG) and to include extraneous matter:)

Mrs. BENTLEY.

Mr. GOODLING.

Mr. ROTH.

Mr. GILMAN.

Mr. YOUNG of Florida.

Mr. YOUNG of Alaska.

Mr. SAXTON.

#### SENATE BILL REFERRED

A Bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2218. An act to provide authorization of appropriations for the Federal Emergency Food and Shelter Program for fiscal years 1995 and 1996; to the Committee on Banking and Finance.

#### ADJOURNMENT

Mr. KNOLLENBERG. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Friday, August 12, 1994, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3675. A letter from the Acting Director, Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of August 1, 1994, pursuant to 2 U.S.C. 685(e); to the Committee on Appropriations.

3676. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-316, "District Government Land Use Temporary Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3677. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-317, "Recycling Fee and Illegal Dumping Temporary Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3678. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-318, "District of Columbia Board of Education Fees for Select Adult, Community, and Continuing Education Courses Temporary Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3679. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement with Italy (Transmittal No. DTC-29-94), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3680. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by Robert L. Gallucci, of Virginia, to be Ambassador at Large, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3681. A letter from the Chief, National Forest Service, transmitting various boundary descriptions and maps; to the Committee on Natural Resources.

3682. A letter from the Secretary of Labor, transmitting a report on the evaluation of the pilot program of off-campus work authorization for foreign students—F-1 Non-immigrants—pursuant to Public Law 101-649, Section 221(b) (104 Stat. 5028); to the Committee on the Judiciary.

3683. A letter from the Secretary of Health and Human Services, transmitting a report on participation, assignment, and extra billing in the Medicare Program; jointly, to the Committees on Ways and Means and Energy and Commerce.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 4111. A bill to authorize appropriations for the National Railroad Passenger Corporation, and for other purposes; with an amendment (Rept. 103-698). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTION

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT of Nebraska:

H.R. 4938. A bill to provide the members of the Armed Forces held as hostages in Iran after the seizure of the United States embassy in Tehran on November 4, 1979, shall be treated as having been prisoners of war during the period that they were in a captive status; to the Committee on Armed Services.

By Mr. EWING:

H.R. 4939. A bill to designate the U.S. courthouse located at 201 South Vine Street in Urbana, IL, as the "Frederick S. Green United States Courthouse"; to the Committee on Public Works and Transportation.

By Mr. GLICKMAN:

H.R. 4940. A bill to require the specific identification of intelligence construction projects in annual budget submissions and the authorization by law of such projects; to the Committee on Intelligence (Permanent Select).

By Mr. SERRANO:

H.R. 4941. A bill to repeal the Cuban Democracy Act of 1992; to the Committee on Foreign Affairs.

By Mr. WILSON (for himself, Mr. BRYANT, Mr. MEYERS of Kansas, Mr. ZIMMER, Mr. NEAL of Massachusetts, Mr. THOMAS of California, Mr. ROYCE, Mr. FROST, Mr. FRANK of Massachusetts, Mr. HASTINGS, Mr. PARKER, and Mr. EMERSON):

H.R. 4942. A bill to amend title 28, United States Code, to provide for the use of volunteer's for Federal Bureau of Investigation tours and at the Bureau's training facilities, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.R. 4943. A bill to regulate fishing in certain waters of Alaska; to the Committee on Merchant Marine and Fisheries.

By Mr. MILLER of California (for himself, Ms. PELOSI, Mr. HAMBURG, Mr. BILBRAY, and Mr. GALLEGLY):

H.R. 4944. A bill to authorize the Secretary of the Interior to conduct studies regarding the desalination of water and water reuse, and for other purposes; jointly, to the Committees on Natural Resources and Science, Space, and Technology.

By Mr. MANTON:

H.J. Res. 401. Joint resolution designating the months of March 1995 and March 1996 as "Irish-American Heritage Month"; to the Committee on Post Office and Civil Service.

By Mr. KLEIN:

H. Con. Res. 280. Concurrent resolution expressing the sense of Congress with respect to protections for persons changing their names to avoid domestic violence; to the Committee on the Judiciary.

By Mr. SHAW (for himself and Mr. JOHNSTON of Florida):

H. Con. Res. 281. Concurrent resolution expressing the sense of the Congress that the United States Embassy in Israel should, at the earliest possible date, be relocated to the city of Jerusalem; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 4 of rule XXII.

457. The Speaker presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to the One Dollar Coin Act of 1993; to the Committee on Banking, Finance and Urban Affairs.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 193: Mr. BAKER of California, Mr. BARTON of Texas, Mr. DORNAN, Mr. PACKARD, and Mr. SKELTON.

H.R. 488: Mr. BONIOR.

H.R. 672: Mr. BARTLETT of Maryland, Mr. RUSH, and Mr. POSHARD.

H.R. 857: Mr. DORNAN.

H.R. 959: Mr. GEJDENSON.

H.R. 1277: Mr. CALVERT.

H.R. 1671: Mr. DE LUGO.

H.R. 1725: Mr. DOOLITTLE.

H.R. 1921: Ms. SCHENK.

H.R. 2420: Mr. YATES.

H.R. 2717: Mrs. Meyers of Kansas.

H.R. 3492: Mr. LEACH, Mr. HALL of Ohio, Mr. ARCHER, Mr. BRYANT, Mr. TORKILDSEN, and Mr. SLATTERY.

H.R. 3739: Mr. SAXTON.

H.R. 3854: Ms. FURSE.

H.R. 3943: Mr. BARCA of Wisconsin, Mr. CANADY, and Mr. HERGER.

H.R. 3971: Mr. ANDREWS of New Jersey.

H.R. 4000: Mrs. MEYERS of Kansas, Mr. DOOLITTLE, Mr. HERGER, and Mr. HANCOCK.

H.R. 4051: Mr. BRYANT.

H.R. 4115: Mr. DEUTSCH and Mr. PAXON.

H.R. 4318: Mr. CLINGER and Mr. CALVERT.

H.R. 4325: Mr. BLACKWELL and Mrs. UNSOELD.

H.R. 4413: Mr. BILBRAY.

H.R. 4517: Mr. MINETA.

H.R. 4585: Mr. CRAPO, Mr. PACKARD, Mr. BACHUS of Alabama, and Mr. LIVINGSTON.

H.R. 4654: Mr. BACCHUS of Florida and Mr. FOGLIETTA.

H.R. 4786: Mr. LIPINSKI.

H.R. 4805: Mr. POMEROY.

H.R. 4831: Mr. SUNQUIST.

H.R. 4860: Mr. CHAPMAN.

H.R. 4919: Mr. COOPER, Mr. KING, Mr. DEUTSCH, Mr. SWIFT, Mr. DOOLEY, Mr. ROHRBACHER, Mr. LINDER, Mr. DELAY, Mr. GRAMS, Mr. DICKEY, Mr. CUNNINGHAM, Mr. DORNAN, Mr. WALKER, Mrs. FOWLER, Ms. ROSELEHTINEN, Mr. PORTMAN, Mr. LEWIS of California, Mr. KIM, and Mr. POMBO.

H.J. Res. 389: Mr. ANDREWS of Maine, Mr. TORKILDSEN, Mr. MAZZOLI, Mr. SHAYS, Mr. OWENS, Mr. NEAL of North Carolina, Mr. ROMERO-BARCELÓ, Ms. KAPTUR, and Mr. SKEN.

H. Con. Res. 35: Mr. FRANKS of New Jersey, Mr. FORD of Michigan, and Mr. BARRETT of Wisconsin.

H. Con. Res. 148: Mrs. LLOYD.

H. Con. Res. 186: Mr. HUFFINGTON.

H. Con. Res. 245: Mr. OWENS.

H. Con. Res. 247: Mr. DIXON, Mrs. JOHNSON of Connecticut, Mrs. BENTLEY, Mr. SOLOMON, Mr. RUSH, Ms. ROYBAL-ALLARD, Mr. MARKEY, Mr. HUFFINGTON, and Ms. PELOSI.

H. Con. Res. 257: Mr. VENTO and Mr. WAXMAN.

H. Res. 213: Mr. DOOLITTLE.

H. Res. 266: Mr. CALVERT.

## PETITIONS. ETC.

Under clause 1 of rule XXII,

117. The Speaker presented a petition of the Attorney General, Commonwealth of Kentucky, Frankfort, KY, relative to State health care fraud control units; to the Committee on Energy and Commerce.